



PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

THIRD SESSION OF THE THIRD LEGISLATIVE COUNCIL.

Volume XLVII (Nos. 1 to 6).

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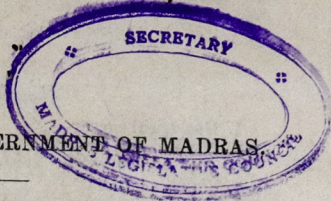
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PERSONNEL OF THE GOVERNMENT OF MADRAS



Governor of Madras.

His Excellency the Rt. Hon. *Viscount* GOSCHEN OF HAWKHURST, G.C.I.E., C.B.E. Took his seat on 14th April 1924.

Members of the Executive Council.

1. The hon. Sir NORMAN MARJORIBANKS, K.C.I.E., C.S.I., I.C.S., Member in charge of Revenue. Took his seat on 27th December 1924 and is in charge of the following portfolios :—

1.—Provincial Subjects.

- | | |
|--|---|
| 1. Land Revenue administration as described under the following heads, namely :— | 4. Economic condition including wages and prices and famine-relief. |
| (a) Assessment and collection of land revenue. | 5. Land acquisition, excepting notifications under sub-section (1) of section 4 and declarations under sub-section (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said sub-sections appertains to a transferred subject. |
| (b) Maintenance of land records; survey for revenue purposes; records of rights. | 6. Development of mineral resources. |
| (c) Laws regarding land tenures; relations of landlords and tenants; collection of rents. | 7. Protection of wild birds and animals. |
| (d) Court of Wards, encumbered and attached estates. | 8. Agency tracts. |
| (e) Land improvement and agricultural loans. | 9. Pounds and prevention of cattle trespass. |
| (f) Colonization and disposal of crown lands. | 10. Elections for Indian and Provincial legislatures. |
| (g) Management of Government estates. | 11. Fortnightly reports and preliminary special reports to the Government of India. |
| (h) Panchayat forests. | 12. General service questions. |
| 2. Water-supplies, irrigation and canals, drainage and embankments; water storage and water power. | 13. Provincial Gazetteers. |
| 3. Inland waterways including shipping and navigation thereon. | 14. Office procedure. |
| | 15. Secretariat. |
| | 16. Yeomias, inams and hereditary pensions. |
| | 17. Matters of a general nature not allocated elsewhere. |

II.—Central Subjects.

- | | |
|---------------------------|--|
| 1. Geological survey. | 8. All-India services. |
| 2. Mineral development. | 9. Territorial changes. |
| 3. Botanical survey. | 10. Immovable property in possession of the Governor-General in Council. |
| 4. Survey of India. | 11. Public Services Commission. |
| 5. Zoological survey. | 12. Reforms. |
| 6. Meteorology. | |
| 7. Census and Statistics. | |

2. The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur, Kt., Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|---|
| 1. Police, including Railway Police and C.I.D. | 12. Government Houses ; Staff and equipment of His Excellency the Governor. |
| 2. Regulation of betting and gambling. | 13. Stationery and Government Presses. |
| 3. Prevention of cruelty to animals. | 14. Industrial matters included under the following heads :— |
| 4. Control of poisons. | (a) Factories. |
| 5. Control of vehicles. | (b) Settlement of labour disputes. |
| 6. Control of dramatic performances and cinematographs. | (c) Boilers. |
| 7. Control of newspapers, books and printing presses. | (d) Gas. |
| 8. Laccadives. | (e) Smoke nuisances. |
| 9. European vagrancy. | (f) Welfare of labour including depressed classes. |
| 10. European and Anglo-Indian education. | 15. Criminal tribes. |
| 11. Regulation of medical and other professional qualifications and standards. | |

II.—Central Subjects.

- | | |
|---|--------------------------------|
| 1. Control of petroleum and explosives. | 3. Arms and ammunition. |
| 2. Central police organization. | 4. Emigration and immigration. |
| | 5. Pilgrimage to the Hedjaz. |

3. The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on 27th April 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|------------------------|---|
| 1. Provincial finance. | 4. Preservation and translation of ancient manuscripts. |
| 2. Pensions. | 5. Central Record office. |
| 3. Local Fund audit. | |

II.—Central Subjects.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. (a) Defence of India. (b) Naval and Military works and cantonments. 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz. 3. Relations with States in India. 4. Political charges. 5. Communications. 6. Posts and telegraphs and telephones, including wireless installations. 7. Sources of all-India revenues. 8. Currency and coinage. | <ol style="list-style-type: none"> 9. Public debt of India. 10. Savings banks. 11. Indian Audit Department. 12. Commerce, including banks and insurance. 13. Trading companies and other associations. 14. Opium (central questions regarding—). 15. Central research. 16. Ecclesiastical. 17. Archæology. 18. Regulation of ceremonies, titles, order of precedence and civil uniform. 19. Subjects not allocated elsewhere. |
|---|--|

4. The hon. Diwan Bahadur M. KRISHNAN NAYAR, Law Member. Took his seat on 25th April 1928 and is in charge of the following portfolios:—

I.—Provincial Subjects.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province. 2. Provincial law reports. 3. Administrator-General and Official Trustees. 4. Escheats. 5. Coroners. | <ol style="list-style-type: none"> 6. Treasure trove. 7. Non-judicial and judicial stamps. 8. Prisons and prisoners. 9. Industrial matters included under the following head: Electricity, including hydro-electric schemes. 10. Forests (including cinchona) except panchayat forests. 11. Minor ports. |
|---|--|

II.—Central Subjects.

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Civil law. 2. Inventions and designs. 3. Copyright. 4. Criminal law. 5. Major ports. | <ol style="list-style-type: none"> 6. Shipping and navigation. 7. Lighthouses. 8. Port quarantine and marine hospitals. |
|---|--|

Ministers.

1. The hon. Dr. P. SUBBARAYAN. Took his seat on 4th December 1926 and is in charge of the following portfolios :—

- | | |
|---|--|
| (1) Education (other than European and Anglo-Indian education). | (3) Light and feeder Railways and Tramways within municipal areas. |
| (2) Libraries, Museums and Zoological Gardens. | (4) Local Self-Government including village panchayats. |
| | (5) Religious and Charitable Endowments. |

2. The hon. Mr. S. MUTHIAH MUDALIYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

- | | |
|--|--|
| (1) Adulteration of foodstuffs and other articles. | (5) Pilgrimages within British India. |
| (2) Excise. | (6) Public health and sanitation and vital statistics. |
| (3) Registration. | (7) Weights and measures. |
| (4) Medical administration. | |

3. The hon. Mr. M. R. SETURATNAM AYYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

- | | |
|----------------------------------|---|
| (1) Agriculture. | (4) Development of industries. |
| (2) Civil Veterinary Department. | (5) Public Works (buildings, roads, ferries, ropeways, etc.). |
| (3) Co-operative societies. | (6) Fisheries. |

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE
COUNCIL.

President.

The hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu, B.A., B.L.

Deputy President.

Dr. (Mrs.) S. MUTHULAKSHMI REDDI.

Panel of Chairmen.

Mr. ABDUL HAMID KHAN.

Diwan Bahadur S. KUMARASWAMI REDDIYAR.

Mr. T. C. SRINIVASA AYYANGAR.

Mr. V. I. MUNISWAMI PILLAI.

Secretary to the Council.

M.R.Ry. Rao Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. C. SATAGOPA ACHARIYAR Avargal, B.A.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1. Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2. Abdul Hye Sahib Bahadur, K.	Ceded Districts, Muhammadan Rural.
3. Abdul Razaek Sahib Bahadur, Khan Bahadur S. K.	North Arcot <i>cum</i> Chingleput, Muhammadan Rural.
4. Abdul Wahab Sahib Bahadur, Munshi.	Northern Circars, Muhammadan Rural.
5. Adinarayana Chettiyar, Bar-at-Law, T.	North Arcot, N.-M. Rural.
6. Anjaneyulu, P.	Guntur, N.-M. Rural.
7. Appavu Chettiyar, C. D.	Salem, N.-M. Rural.
8. Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9. Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Central Districts (Indian Christian).
10. Arpudaswami Udayar, S.	Tanjore and Trichinopoly <i>cum</i> Madura (Christian).
11. Basheer Ahmad Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
12. Bhaktavatsulu Nayudu, P.	Madras City, N.-M. Urban.
13. Bhanoji Rao, A. V.	Vizagapatam City, N.-M. Urban.
14. Bheemayya, J.	NOMINATED.
15. Biswanath Das Mahasayo, Sriman.	Ganjam, N.-M. Rural.
16. Chidambaranatha Mudaliyar, T. K.	Tinnevely, N.-M. Rural.
17. Cotton, C.I.E., I.C.S., C. W. E.	NOMINATED.
18. Davis, J. A.	Anglo-Indian.
19. Dorai Raja, S. N.	NOMINATED.
20. Ellappa Chettiyar, Rao Bahadur S.	Salem, N.-M. Rural.
21. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, N.-M. Rural.
22. Foulkes, R.	NOMINATED.
23. Gangadhara Siva, M. V.	NOMINATED.
24. Gnanavaram Pillai, P. J.	NOMINATED.
25. Gopala Menon, C.	Southern India Chamber of Commerce.
26. Govindaraja Mudaliyar, C. S.	Madras City, N.-M. Urban.
27. Guruswami, Rao Sahib L. C.	NOMINATED.
28. Hampayya, Rai Sahib M.	NOMINATED.
29. Harisarvottama Rao, G.	Kurnool, N.-M. Rural.
30. Hearson, H. F. P.	Madras Chamber of Commerce.
31. Hilton Brown, I.C.S.	NOMINATED.
32. James, F. E.	Madras Planters—Planting.

Name of member.	Name and class of constituency.
33. John, V. Ch.	Northern Districts (Indian Christian).
34. Kaleswara Rao, A.	Kistna, N.-M. Rural.
35. Kameswara Rao Nayudu, V. ...	Ganjam, N.-M. Rural.
36. Karant, K. R.	South Kanara, N.-M. Rural.
37. Kesava Pillai, C.I.E., Diwan Bahadur P.	Anantapur, N.-M. Rural.
38. Khadir Mohidin Sahib Bahadur, Muhammad.	East Coast, Muhammadan Rural.
39. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly <i>cum</i> Srirangam, Muhammadan Urban.
40. Koti Reddi, Bar.-at-Law, K. ...	Cuddapah, N.-M. Rural.
41. Krishnan, K.	NOMINATED.
42. Krishnan Nayar, The hon. Diwan Bahadur M.	EX OFFICIO.
43. Krishnaswami Ayyar, Mr. Alladi.	NOMINATED.
44. Krishnaswami Nayakar, K. V.	Chingleput, N.-M. Rural.
45. Kumara Raja of Venkatagiri (Raja Velugoti Sarvagya Kumara Krishnayachendra Bahadur Varu).	Nellore, N.-M. Rural.
46. Kumaraswami Reddiyar, Diwan Bahadur S.	Tinnevelly, N.-M. Rural.
47. Kuppuswami, J.	Guntur, N.-M. Rural.
48. Madhavan Nayar, K.	Malabar, N.-M. Rural.
49. Maharaja of Venkatagiri, K.C.I.E., Capt. Sir the (Raja Velugoti Sri Govinda Krishna Yachendralavaru).	North Central Landholders.
50. Mahmud Sehamnad Sahib Bahadur.	South Kanara, Muhammadan Rural.
51. Mallappa, B. S.	Madras City, N.-M. Urban.
52. Manikkavelu Nayakar, M. A. ...	North Arcot, N.-M. Rural.
53. Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	EX OFFICIO.
54. Marudavanam Pillai, C. ...	Tanjore, N.-M. Rural.
55. Meera Ravuttar Bahadur, K. P. V. S. Muhammad.	Madura <i>cum</i> Trichinopoly, Muhammadan Rural.
56. Moidoo Sahib Bahadur, Khan Sahib, T. M.	Malabar, Muhammadan Rural.
57. Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.	EX OFFICIO.
58. Muniswami Nayudu, Rao Bahadur B.	Chittoor, N.-M. Rural.
59. Muniswami Pillai, V. I. ...	NOMINATED.
60. Muppil Nayar of Kavalappara <i>alias</i> Kumaran Raman.	West Coast Landholders.
61. Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
62. Muthiah Mudaliyar, The hon. Mr. S. (Minister).	Tanjore, N.-M. Rural.

Name of member.	Name and class of constituency.
33. Muthulakshmi Reddi, Dr. (Mrs.) (Deputy President).	NOMINATED.
64. Muthuranga Mudaliyar, C. N.	Chingleput, N.-M. Rural.
65. Nagan Gowda, R.	NOMINATED.
66. Nanjappah 'Bahadur', Subadar- Major S. A.	NOMINATED.
67. Narasimha Raju, The hon. Rao Bahadur C. V. S. (President).	Vizagapatam, N.-M. Rural.
68. Narayana Raju, D.	Godavari West, N.-M. Rural.
69. Narayana Rao, Mothay	Godavari West, N.-M. Rural.
70. Narayanan Chettiyar, Al. Ar....	Nattukkottai Nagarathars' Associa- tion.
71. Narayanan Nambudripad, Rao Bahadur O. M.	NOMINATED.
72. Narayanaswami Pillai, T. M. ...	Trichinopoly, N.-M. Rural.
73. Obi Reddi, C.	Anantapur, N.-M. Rural.
74. Parasurama Rao Pantulu, A. ...	Cuddapah, N.-M. Rural.
75. Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
76. Patro, Kt., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
77. Premayya, G. R.	NOMINATED.
78. Raja of Jeypore (Maharaja Sri Ramachandra Deo).	NOMINATED.
79. Rajan, P. T.	Madura, N.-M. Rural.
80. Ramachandra Padayachi, K. ...	South Arcot, N.-M. Rural.
81. Ramachandra Reddi, B.	Nellore, N.-M. Rural.
82. Raman Menon, K. P.	Malabar N.-M. Rural.
83. Ramanath Goenka	NOMINATED.
84. Ramasomayajulu, C.	Cocanada City, N.-M. Urban.
85. Ramaswami Ayyar, U.	Trichinopoly cum Srirangam, N.-M. Urban.
86. Ramjee Rao, V.	NOMINATED.
87. Ranganatha Mudaliyar, A. ...	Bellary, N.-M. Rural.
88. Ratnasabhapati Mudaliyar, Rao Bahadur C. S.	Coimbatore, N.-M. Rural.
89. Robertson, R. J. C.	Madras Trades Association.
90. Sahajanandam, Swami A. S. ...	NOMINATED.
91. Saldanha, J. A.	West Coast, Indian Christian
92. Sami Venkatachalam Chetti ...	Madras City, N.-M. Urban.
93. Sarabha Reddi, K.	Kurnool, N.-M. Rural.
94. Satyamurti, S.	Madras University.
95. Seturatnam Ayyar, The hon. Mr. M. R. (Minister).	Trichinopoly, N.-M. Rural.
96. Shetty, A. B.	South Kanara, N.-M. Rural.
97. Sitarama Reddi, Rao Bahadur K.	South Arcot, N.-M. Rural.
98. Siva Raj, N.	NOMINATED.
99. Siva Rao, P.	Bellary, N.-M. Rural.
100. Sivasubrahmanva Ayyar, K. S.	Tanjore, N.-M. Rural.

Name of member.	Name and class of constituency.
101. Slater, C.I.E., I.C.S., S. H. ...	NOMINATED.
102. Soundarapandia Nadar, W. P. A.	NOMINATED.
103. Souter, I.C.S., C. A. ...	NOMINATED.
104. Srinivasa Ayyangar, R. ...	South Arcot, N.-M. Rural.
105. Srinivasa Ayyangar, T. C.	Ramnad, N.-M. Rural.
106. Srinivasan, Rao Sahib R. ...	NOMINATED.
107. Subbarayan, The hon. Dr. P. (Zamindar of Kumaramangalam) (<i>Minister</i>).	South Central Landholders.
108. Subrahmanya Moopanar, S. ...	NOMINATED.
109. Subrahmanya Pillai, Chavadi K.	Tinnevelly <i>cum</i> Palamcottah, N.-M. Urban.
110. Swami, Bar.-at-Law, K. V. R.	East Godavari, N.-M. Rural.
111. Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.	Ramnad <i>cum</i> Tinnevelly, Muhammadan Rural.
112. Tajudin Sahib Bahadur, Syed ...	Tanjore, Muhammadan Rural.
113. Tampoe, I.C.S., A. McG. C. ...	NOMINATED.
114. Thomas, Daniel ...	Ramnad <i>cum</i> Tinnevelly, Indian Christian.
115. Tulasiram, L. K. ...	Madura City, N.-M. Urban.
116. Uppi Sahib Bahadur, K. ...	Malabar, Muhammadan.
117. Usman Sahib Bahadur, <i>Kt.</i> , The hon. Khan Bahadur Sir Muhammad.	EX OFFICIO.
118. Vanavudaiya Goundar, S. V. ...	Coimbatore, N.-M. Rural.
119. Venkatapati Raju, P. C. ...	Vizagapatam, N.-M. Rural.
120. Venkatarama Ayyar, K. R. ...	Madura, N.-M. Rural.
121. Venkataramana Ayyangar, C. V.	Coimbatore, N.-M. Rural.
122. Venkatarangam Nayudu, C. ...	North Arcot, N.-M. Rural.
123. Venkataratnam, B. ...	East Godavari, N.-M. Rural.
124. Venkiah, S. ...	NOMINATED.
125. Watson, I.C.S., H. A. ...	NOMINATED.
126. Wood, C. E. ...	Madras Chamber of Commerce.
127. Wright, W. O. ...	European.
128. Zamindar of Gollapalli (Srimannarayana Appa Rao Bahadur Garu, Meka).	Northern Landholders, II.
129. Zamindar of Kallikota (Sri Ramachandra Mardaraja Deo).	Northern Landholders, I.
130. Zamindar of Mirzapuram (Mirzapuram Raja Garu alias Venkataramayya Appa Rao Bahadur Garu).	Kistna, N.-M. Rural.
131. Zamindar of Seithur (Vadamalai Tiruvanatha Sevuga Pandiya Tevaz Avargal).	Madura, N.-M. Rural.
132. Zamindar of Singampatti (T. N. Sivasubramaniya Tevar Thirthapathi).	Southern Landholders.

SPECIAL MEMBERS.

133. Cunningham, C. B. NOMINATED for the Bill to suppress Brothels and Immoral Traffic and for the Bill further to amend the Madras City Police Act, 1888.
134. Narayanaswami Chetti, Diwan Bahadur G. NOMINATED for the Bill further to amend the Madras City Police Act, 1888.



THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

OFFICIAL REPORT.

*Third Session of the Third Legislative Council under the
Government of India Act, 1919.*

VOLUME XLVII.

Monday, the 25th February 1929.

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.

Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P.

Muthiah Mudaliyar, The hon. Mr. S. Sethurathnam Ayyar, The hon. Mr. M. R. Abdul Hameed Khan Sahib Bahadur. Abdul Razack Sahib Bahadur, Khan Bahadur S. K.

Adinarayana Chettiyyar, Bar.-at-Law, Mr. T. Anjaneyulu, Mr. P.

Appavu Chettiyyar, Mr. C. D. Arogyaswami Mudaliyar, Diwan Bahadur R. N.

Basheer Ahmad Sayeed Sahib Bahadur. Bhaktavatsulu Nayudu, Mr. P.

Bhanoji Rao, Mr. A. V. Bheemayya, Mr. J.

Biswanath Das Mahasayo, Sriman. Chidambaranatha Mudaliyar, Mr. T. K.

Ootton, C.I.E., I.C.S., Mr. C. W. E. Dorai Raja, Rajkumar S. N.

Ellappa Chettiyyar, Rao Bahadur S. Ethirajulu Nayudu, Diwan Bahadur, P.C.

Gangadhara Siva, Mr. M. V. Gnanavaram Pillai, Mr. P. J.

Gopala Menon, Mr. C. Govindaraja Mudaliyar, Mr. C. S.

Guruswami, Rao Sahib L. C. Harisaravottama Rao, Mr. G.

Hearson, Mr. H. F. P. Hilton Brown, I.C.S., Mr.

James, Mr. F. E. John, Mr. V. Ch.

Kaleswara Rao, Mr. A.

Karant, Mr. K. R.

Kalif-ul-lah Sahib Bahadur, Khan Bahadur P. Krishnan, Mr. K.

Krishnaswami Ayyar, Mr. Alladi. Krishnaswami Nayakar, Mr. K. V.

Kumararaja of Venkatigiri. Kumaraswami Reddiyar, Diwan Bahadur S.

Madhavan Nayar, Mr. K. Mallayya, Dr. B. S.

Manikkavelu Nayakar, Mr. M. A. Marudavanam Pillai, Mr. C.

Moidoo Sahib Bahadur, Khan Sahib T. M. Maniswami Pillai, Mr. V. L.

Muthulakshmi Reddi, Dr. (Mrs.) S. (*Deputy President*).

Muthuranga Mudaliyar, Mr. C. N. Nagan Gowda, Mr. R.

Nanjappa Bahadur, Subadar-Major S. A. Narayana Raju, Mr. D.

Narayana Rao, Mr. Mothay. Narayanan Chettiyyar, Mr. Al. Ar.

Obi Reddi, Mr. C. Parasurama Rao Pantulu, Mr. A.

Parthasarathi Ayyangar, Mr. C. R. Patro, Kt., Rao Bahadur Sir A. P.

Rajan, Mr. P. T. Ramachandra Reddi, Mr. B.

Ramasomayajulu, Mr. C. Rampjee Rao, Mr. V.

Ramaswami Ayyar, Mr. U. Ranganatha Mudaliyar, Mr. A.

Robertson, Mr. R. J. C. Sahajanandam, Swami A. S.

Saldanha, Mr. J. A. Sami Venkatachalam Chetti, Mr.

Satyamurti, Mr. S. Shetty, Mr. A. B.

Sitarama Reddi, Rao Bahadur K.

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PRESENT—cont.

Siva Raj, Mr. N.
 Siva Rao, Mr. P.
 Slater, C.I.E., I.C.S., Mr. S. H.
 Soundarapandia Nadar, Mr. W. P. A.
 Souter, I.C.S., Mr. C. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasan, Rao Sahib R.
 Subrahmanya Mooppanar, Mr. S.
 Swami, Bar-at-Law, Mr. K. V. R.
 Tajudin Sahib Bahadur, Syed.
 Tanpos, I.C.S., Mr. A. McG. C.
 Thomas, Mr. Daniel,
 Tulasiram, Mr. L. K.

Uppl Sahib, Mr. K.
 Vanavudaiya Goundar, Mr. S. V.
 Venkatapathi Raju, Mr. P. C.
 Venkatarangam Nayudu, Mr. C.
 Venkataratnam, Mr. B.
 Venkiah, Mr. S.
 Watson, I.C.S., Mr. H. A.
 Wood, Mr. C. E.
 Wright, Mr. W. O.
 Zamindar of Gollapalli.
 Zamindar of Kallikota.
 Zamindar of Mirzapuram.
 Zamindar of Singampatti.

NEW MEMBER.

The undermentioned member made the prescribed oath of allegiance to the Crown and then took his seat :—

Mr. HILTON BROWN.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Agricultural demonstrators in Ceded districts.

* 1408-A Q.—Mr. R. NAGAN GOWDA: Will the hon. the Minister for Development be pleased to state what percentage of the total number of Agricultural demonstrators at present in the Presidency belong to the Ceded districts?

A.—7·25 per cent.

Appointment of demonstrators in the Second Circle.

* 1408-B Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government propose to appoint more demonstrators in the Second Circle; and

(b) if so, in what places?

A.—(a) Yes.

(b) The places have not yet been fixed.

Mr. A. RANGANATHA MUDALIYAR :—“ With reference to answer to clause (a) of this question, may I know how many demonstrators the Government are going to appoint? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ We propose to appoint eight demonstrators.”

Mr. A. RANGANATHA MUDALIYAR :—“ Is it for the Second Circle alone, Sir? ”

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The hon. Mr. M. R. SETURATNAM AYYAR :—" For the whole Presidency."

Mr. A. RANGANATHA MUDALIYAR :—" The question refers only to the Second Circle. May I know how many they are going to appoint to the Second Circle ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" That has not been decided."

Quantity of seed potatoes raised in the Nanjanaad Potato Seed Farm.

* 1409 Q.—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Minister for Development be pleased to state—

(a) the quantity of seed potatoes raised in the Nanjanaad Potato Seed Farm and the value thereof realized during the past one year;

(b) the quantities doled out to ryots and their names and the actual quantity sold;

(c) what is the expenditure incurred during the past one year for the staff entertained in the farm; and

(d) whether the Government have appointed any visitors for the potato farm as is done in the case of the Agricultural College in Coimbatore; if not, why not?

A.—(a) 3,051 maunds of 25 lb. each valued at Rs. 1,508-3-1. This excludes Rs. 544, the value of 272 maunds transferred for district work.

(b) No seed potatoes were doled out to ryots. 782 maunds and 20½ lb. were sold to ryots.

(c) Rupees 3,418.

(d) Honorary visitors are not attached to the Experiment stations nor is such a system deemed necessary or advisable as the stations are engaged on research work which is not likely to be understood by laymen.

Mr. V. I. MUNISWAMI PILLAI :—" With reference to (b), Sir, may I know whether any depressed classes men were given ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice."

Admission of students in the Agricultural College.

* 1410 Q.—Mr. R. NAGAN GOWDA : Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have any proposals to increase the number of students admitted into the College of Agriculture and, if so, what they are; and

(b) whether they propose in the near future to make any and, if so, what arrangements to admit into the College all the qualified candidates that apply for admission?

A.—(a) No.

(b) No. The College can provide accommodation only for 120 students. If a larger number is to be admitted, the accommodation will have to be increased as also the staff, etc.

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Mr. R. NAGAN GOWDA :—" May I know whether, considering the fact that they are spending a very large sum on this institution, the Government do not think it desirable to make some arrangement by which they can train a larger number of students? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The difficulty is the lack of accommodation in the College hostel. If there is more accommodation, we can entertain more men."

Mr. K. V. R. SWAMI :—" May I know whether in the College there is accommodation for more students? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" There is accommodation for 120 students."

Mr. A. RANGANATHA MUDALIYAR :—" Are the Government contemplating the provision of additional hostel accommodation? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We are contemplating."

Mr. R. NAGAN GOWDA :—" May I know whether any efforts have been made to induce private people to place their estates at the disposal of the Agricultural College? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I am not aware of any such efforts, Sir."

Mr. K. V. R. SWAMI :—" I thought the hon. Minister stated that for want of hostel accommodation more students could not be admitted. It is stated that there are now 120 students. I was asking the Minister whether there is accommodation for teaching more students? "

The hon. Mr. R. SETURATNAM AYYAR :—" Some more accommodation for teaching could be found. The difficulty is about accommodation for students in the hostel."

Travelling allowances to Agricultural officers for attending the annual conference at Coimbatore.

* 1411 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(a) how many Agricultural officers on an average were given travelling allowance during the last three years for attending the annual conference at Coimbatore ;

(b) to what extent the number of officers permitted to go to Coimbatore will be restricted by the Government Order issued this year ; and

(c) whether the Government propose to reconsider the restrictions which have been thus imposed ?

A.—(a)	1926	...	...	...	...	...	...	...	21
	1927	...	...	...	...	...	...	...	21
	1928	...	...	...	...	...	...	...	10

(b) The Assistant Crop Specialists and the Personal Assistant to the Director of Agriculture will not attend the conference in future. Assistant Directors will attend the conference only when the Deputy Directors of their respective circles do not attend.

(c) The answer is in the negative.

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Mr. A. B. SHETTY :—“ May I ask whether the Director has expressed himself against the restriction mentioned in clause (b) ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ It was after the report of the Director that the order was passed.”

Co-operation

Opening of a land mortgage bank at Kurnool.

* 1412 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Development be pleased to state, in reference to answer given to question No. 649 on 26th November 1928 regarding the starting of a land mortgage bank at Kurnool—

(a) whether he is prepared to place on the table of the House the report of the Assistant Registrar or Registrar in that matter ; and

(b) whether the Government have examined the prospects of such a bank in any other place in the Kurnool district ?

A.--(a) The report ^a of the Registrar is appended.

(b) Yes ; the conditions necessary for running a land mortgage bank successfully do not exist anywhere in the Kurnool district.

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether the Government have examined every paragraph of the reply that has been given, more especially paragraph (b) and whether they approve of the statements made therein ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ We have given due consideration to the report. That is all.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether the hon. Minister will further enquire into the matter and see whether a mortgage bank cannot be started in Kurnool district ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ The answer given explains the position. The Registrar thinks that it is not possible.”

The hon. the PRESIDENT :—“ The hon. Member will have to table a fresh question on the report.”

Mr. R. NAGAN*GOWDA :—“ May I know the conditions that are necessary for opening a land mortgage bank ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ It is explained in detail in the report.”

Fisheries

Income from and expenditure on the fish ponds at Sunkesula and Prema.

* 1413 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Development be pleased to state—

(a) the dates on which fish ponds were opened at Sunkesula and Prema in the Kurnool district ;

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(b) the expenditure per mensem upon these and the total expenditure up to date from the commencement;

(c) the public service these two institutions have rendered; and

(d) the income that has been derived from these institutions?

A.—(a) 1912 and 1919 respectively.

(b), (c) & (d) The Government have no information but have called for it.

Mr. K. V. R. SWAMI :—“ Am I to understand from the answers to clauses (b), (c) & (d) that the expenditure is being incurred without the knowledge of the Government ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I can say that only after the report is received.”

Tours and enquiries of the Fisheries Committee.

* 1414 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) who has been appointed President of the Fisheries Committee in place of Sir Kurma Reddi; and

(b) the programme of its future tours and enquiries with approximate dates?

A.—(a) M.R.Ry. Diwan Bahadur S. Kumaraswami Reddiyar Avargal.

(b) The future programme has not yet been definitely settled. The Committee may visit a few fishing centres on the East Coast.

Mr. J. A. SALDANHA :—“ May I enquire whether this Committee contemplates a trip on the fishing trawler *Lady Goschen* to find out the fishing capacity of the trawler ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I do not know, Sir.”

Mr. A. RANGANATHA MUDALIYAR :—“ Will the work of this Committee take it into outside districts ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I do not think, Sir.”

General

Legislative programme of the hon. the Minister for Development.

* 1415 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state his legislative programme for the rest of the life of this Council?

A.—The Government have under consideration—

(i) A Bill to consolidate and amend the law relating to Co-operative Societies in the Madras Presidency, in lieu of the India Act II of 1912, and

(ii) A Bill to amend section 9 of the State Aid to Industries Act.

No other measures are contemplated at present.

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Excise

Location, hours of sale, etc., of liquor shops.

* 1416 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to place on the table of the House the rules or instructions governing the location, hours of sale, etc., of liquor shops?

A.—The rules^a are laid on the table.

Mr. C. GOPALA MENON:—“May I know from the hon. Minister whether the Government have received any complaint from the Temperance Society with regard to the working of these rules?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Complaint as regards what?”

Mr. C. GOPALA MENON:—“Complaint with regard to the working of the rules.”

The hon. the PRESIDENT:—“I am afraid the hon. Member has simply asked for the report being placed on the table of the House. He ought therefore only to frame questions on the report.”

Removal of toddy and arrack shops from Cocanada municipal limits.

* 1417 Q.—Mr. C. RAMASOMAJULU: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Municipal Council, Cocanada, passed a resolution No. 98, dated 26th May 1926, advocating the removal of all toddy and arrack shops from within the municipal jurisdiction and whether the same was communicated to Government;

(b) whether the same Council reiterated the resolution in the same terms in subsequent years; and

(c) what action the Government have taken to give effect to the said resolution?

A.—(a) No resolution bearing the date 26th May 1926 was communicated to the Government; but a resolution No. 98, dated 26th May 1924, on the subject was communicated to them by the Chairman, Municipal Council, Cocanada.

(b) A resolution dated 11th January 1929 on the subject has been received by the Government.

(c) No action has been taken on them.

Mr. C. RAMASOMAJULU:—“May I know, with reference to (c), why the Government have not taken action in view of the fact that the Council has been invariably passing the resolution?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“So far as the Government are aware, the Municipality passed one such resolution in 1924 and it is only in January 1929, they again passed a similar resolution. In the bigger municipalities there are excise licensing boards and in other places there are excise advisory committees who deal with this matter. When they recommend any action it is given effect to.”

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Mr. C. RAMASOMAJULU :—"So, unless resolutions of this kind are supported by the Excise Advisory and Licensing Boards the Government would not take any action?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The Government will consider the advice of their officials and if they think it necessary they will issue orders in accordance therewith. But apart from that, the district committees can themselves take action."

Mr. C. RAMASOMAJULU :—"May I know if these resolutions were considered at all by the Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Whenever such resolutions are received, they are considered."

Reduction in the excise revenues of the province.

* 1418 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has recommended any reduction in the excise revenue of the province being budgeted for as a result of his prohibition policy:

(b) if so, how much, and

(c) if not, why not?

A—(a) to (c) No. It is not possible to anticipate at present what the financial effect will be during 1929–30 of the scheme of propaganda work which is to be started.

Mr. S. SATYAMURTI :—"May I know whether the fact that the Government do not anticipate any fall in the excise revenue is the reason why they have not budgeted for any reduction in excise revenue in the budget for the ensuing year?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am afraid that is not the reason."

Mr. S. SATYAMURTI :—"Then, may I know what the reason is?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The reason is that it is not possible to anticipate what the fall would be."

Mr. S. SATYAMURTI :—"In view of the fact that not even a 'pie is budgeted for as reduction in the excise revenue, may I know whether the Government anticipate any fall at all, as a result of their temperance propaganda?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The excise revenue may fall."

Mr. R. NAGAN GOWDA :—"May I know whether they expect any effect from the propaganda carried on?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"They do."

Medical

Appointment of Indian I.M.S. officers to civil duty in Madras.

* 1419 Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Minister for Public Health be pleased to state—

(a) how many Indian I.M.S. officers there are in civil employ in this Presidency;

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- (b) how many of them are born in this province ;
- (c) whether these officers were posted to Madras without consulting the Local Government ;
- (d) what are the reasons for not preferring Madras men in the Indian Medical Service who are acquainted with the language and condition of the people in posting I.M.S. officers to civil duty in this province ; and
- (e) whether the Madras Government propose to urge the Government of India that as far as possible only Madras men in the Indian Medical Service should be posted to civil duty in Madras ; and, if not, why not ?

A.—(a) Sixteen.

(b) Seven, according to the information available with the Government.

(c) Yes, in the majority of cases.

(d) The Government are not aware of the reasons which influenced the Government of India in selecting the officers to be posted to this Presidency.

(e) According to the recent reorganization of the Indian Medical Service, no officer will be transferred to civil employment without the consent of the Local Government. The suggestion of the hon. Member will naturally be considered when the services of Indian Medical Service officers have to be obtained in future.

MR. ABDUL HAMEED KHAN :—“ With reference to the answer to clause (d), may I ask whether the Minister in charge of the Medical portfolio at that time had insisted upon seeing that only people belonging to the province were sent, and if so, whether the Government of India refused to accept his suggestion ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Mr. President, I do not know the full history of the thing. But I may say that this Government have been insisting on it for these six or seven years and we are now given the power.”

Appointment of I.M.D. officers to civil duty in Madras.

* 1420 Q.—MR. ABDUL HAMEED KHAN : Will the hon. the Minister for Public Health be pleased to state—

(a) how many I.M.D. officers are now serving in the Civil Medical Department in Madras and how many of them are permanently posted to it and how many of them are temporary ;

(b) whether it is a fact that the Government of India have declared that they will not compel Provincial Governments to employ I.M.D. officers if they are unwilling to have them ;

(c) whether the Government have ascertained that the Local Governments of the Punjab and the United Provinces have notified to the authorities in Simla their unwillingness to take any more I.M.D. officers ;

(d) whether the Madras Government have made or propose to make a similar representation to the Government of India ;

(e) whether it is a fact that many of the I.M.D. officers serving in the Civil Medical Department in Madras do not even possess qualifications registrable in England ;

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(f) whether it is a fact that some of the highest appointments in the department are reserved for I.M.D. officers; and

(g) whether the Government propose to remove this reservation and take steps to see that no more I.M.D. officers are employed for civil duty?

A.—(a) There are twenty-two officers all of whom are in permanent civil employment.

(b) The Government have no information on the point. Under the reformed constitution, local Governments are not *required* to provide employment for officers of the I.M.D. as in the case of officers of the I.M.S.

(c) No.

(d) The Government considered the question in 1923 and decided not to interfere with the arrangement under which they provided employment in the civil department for a certain number of officers of the I.M.D.

(e) Ten officers possess British Medical qualifications which are registrable in England. The rest have the I.M.D. diploma.

(f) No.

(g) There is no reservation at present. The question of revising the existing arrangement is under the consideration of the Government.

Mr. ABDUL HAMEED KHAN:—"May I know when the Government will come to a decision?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"We will correspond with the Government of India and the result depends a good deal upon what they do."

Alleged inadequacy of accommodation in the Madras Medical College.

* 121 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received reports that Madras Medical College buildings are out of date and are not sufficient to meet the growing demands of the college;

(b) whether there is a proposal to construct a new building therefor; and

(c) if so, at what cost and how many students it is estimated to accommodate?

A.—(a), (b) & (c) The present accommodation in the Madras Medical College has been reported to be inadequate. The Government have sanctioned the construction of a new Pathological Institute at an estimated cost of Rs. 11,68,000. The institute will provide accommodation for the Pathology, Bacteriology and Bio-chemistry departments; the buildings which are now used for these subjects will be utilized for the extension of the accommodation required for the teaching of organic and inorganic chemistry, for the new department of Pharmacology and for the laboratories of the Physics and the Biology departments. The remaining requirements consist in a new Hygiene

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Institute and the remodelling of the present Hygiene department so as to make it suitable for the Anatomy department (including Embryology and Histology). The Surgeon-General's detailed proposals in regard to these are awaited.

Free quarters and permission for private practice to the staff of the Mental hospital.

* 1422 Q.—Mr. K. UPPI SAHIB : Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the staff of the Mental hospital are charged rents for their quarters and if so, why; and

(b) whether it is a fact that the jail doctors are permitted to have private practice and that those of the Mental hospital are prevented from doing so and why?

A.—(a) Yes, except the nursing staff; under the rules all officers who are provided with official quarters are required to pay rent unless exempted by the Government for special reasons. No such reasons exist in this case.

(b) Medical officers employed in the Jail department are permitted to engage in consulting practice and to attend to emergency cases, provided there is no interference with their official duties.

The Superintendent of the Madras Mental Hospital is debarred from general practice in the interest of the work of the institution. He is however allowed to visit persons afflicted with insanity or nervous diseases. Other medical officers employed in mental hospitals are not debarred from practice.

Registration

Increase of registration offices in South Kanara.

* 1423 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether representations have been received from the Sub-Registrars of South Kanara for the increase of sub-registration offices in the district; and

(b) what action has been taken thereon?

A.—(a) & (b) No such representations have been received by Government.

Education

Training schools for mistresses in Salem, Coimbatore and South Arcot districts.

* 1424 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether there are any training schools for mistresses in the districts of Salem, Coimbatore and South Arcot; and

(b) whether there is any proposal before the Government or before the local boards to open a training school for mistresses in these districts especially for Muslim lady teachers?

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A.—(a) Yes; there are two secondary, three higher elementary and three lower elementary training classes for women teachers in the three districts together.

(b) There is no proposal before the Government for the opening of an additional training school for women in any of the three districts in the next year. Local boards do not ordinarily maintain training schools for mistresses.

Mr. BASHEER AHMAD SAYEED.—“May I know whether there are any training schools for Muslim women teachers?”

The hon. Dr. P. SUBBARAYAN:—“There are no separate schools.”

Mr. BASHEER AHMAD SAYEED:—“May I know whether the hon. Minister will take steps to open some schools?”

The hon. Dr. P. SUBBARAYAN:—“I do not think there is any need for such separate schools.”

Alleged distinction between higher and lower grade trained teachers in Salem taluk.

* 1425 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government are aware that some of the taluk boards in Salem make no distinction between higher and lower grade trained teachers while making appointments; and

(b) if so, whether the Education department has approved of such a procedure?

A.—(a) & (b) The Government have no information but have called for it.

Mr. BASHEER AHMED SAYEED:—“May I know whether the report has been received?”

The hon. Dr. P. SUBBARAYAN:—“No, Sir.”

Revision of the pay of teachers in taluk board schools.

* 1426 Q.—Mr. K. MADHAVAN NAYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what the scale of pay of the teachers employed in the elementary schools under the taluk boards in Malabar is at present;

(b) whether any taluk board in Malabar has carried out the suggestion of the Government that such scale should be one of Rs. 20 to Rs. 35;

(c) whether the amount of grant made by the Government to the taluk boards for the maintenance of schools conducted with such grant is based on its own recommendation of the said scale;

(d) whether the Government have allotted any amount to the taluk boards in Malabar to enable such boards to increase the present pay of the teachers; and

(e) if not, whether the Government propose to make any such grant in the immediate future?

A.—(a) A statement^a showing the latest information available with the Government is laid on the table.

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(b) The Government have not suggested a scale of Rs. 20 to Rs. 35. The scales of pay commended by Government to local bodies as the standard to be worked up to are the following :—

	Trained. Per mensem.	Untrained. Per mensem.
	RS.	RS.
Boys' schools—		
Lower elementary grade ...	20—1—30	15
Higher elementary grade ...	25—1—50	20
Secondary grade...	35—35—1½—50—1—60	25
Girls' schools—		
Lower elementary ...	22½—1½—45	20
Higher elementary ...	27½—1½—50	25
Secondary ...	45—3—90	30

(c) No.

(d) No.

(e) No.

Mr. K. MADHAVAN NAYAR :—“ With regard to (c), may I know why the Government have not followed their own recommendation ? ”

The hon. Dr. P. SUBBARAYAN :—“ Because we expect the taluk boards to find funds from their own resources.”

Mr. K. MADHAVAN NAYAR :—“ With reference to answer to (e), may I know whether it is because they consider the pay and prospects of the teachers are good that they do not make any such grant ? ”

The hon. Dr. P. SUBBARAYAN :—“ Not at all. It is clear from the previous answer.”

Mr. K. R. KARANT :—“ May I ask whether it is not a fact that these grants to local bodies were fixed about 1920 before the Government made this new scheme and before the boards had to incur large expenditure on salaries ? ”

The hon. Dr. P. SUBBARAYAN :—“ These are only subsidies.”

Mr. K. R. KARANT :—“ Are any steps taken to see that more subsidies are given on account of the increased expenditure ? ”

The hon. Dr. P. SUBBARAYAN :—“ No, Sir.”

Redistribution of the ranges of junior Deputy Inspectors of Schools.

* 1427 Q.—Mr. K. P. V. S. MUHAMMAD MEERA RAVUTTAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state whether there is any proposal before the Government to redistribute the educational ranges on a talukwar basis giving independent charges to junior grade Deputy Inspectors of Schools in the next official year ?

A.—There is no such proposal before the Government at present.

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Tour and allowances of junior Deputy Inspectors of Schools.

* 1428 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the junior grade Deputy Inspectors are required to put in 190 days' tour during a calendar year, failing which they are to refund their proportionate fixed travelling allowances?

A.—The answer is in the affirmative.

Inspection of schools by junior Deputy Inspectors of Schools.

* 1429 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the junior grade Deputy Inspectors of Schools in Madura district are compelled to pay visits of improvement to schools which have been assigned to them for annual inspection when they happen to cross such schools on their way to inspection work?

A.—The attention of the hon. Member is invited to the answer to question No. 189 asked at the meeting of the Legislative Council held on the 6th September 1928.

Work done by Junior Deputy Inspectors of Schools in Madura district.

* 1430 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Education and Local Self-Government be pleased to lay on the table of the House a statement showing the number of schools inspected for annual inspection, the actual number of tour days (excluding exemption and condonation by the District Educational Officer) and the number of miles travelled during the calendar years 1927 and 1928 by each junior and senior grade Deputy Inspector of Schools in Madura district?

A.—The information has been called for from the Director of Public Instruction.

Local Boards*Construction of the Moir Causeway at Oothukottai village.*

* 1431-A Q.—MR. P. BHAKTAVATSULU NAYUDU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what was the estimated cost of the Moir Causeway recently constructed and opened at Oothukottai village;

(b) whether it was constructed by the Chingleput District Board and whether the Board got a loan from the Government for the purpose; if so, what is the amount of the loan;

(c) whether the Government sanctioned the construction of the said causeway; if so, whether the estimates and plans were scrutinized by the Government before the work was actually put on hand;

(d) whether the works during its progress or at any stage were inspected or supervised by any Government official; if so, by whom and if not, why not;

(e) whether it is a fact that damage has been caused to the said causeway by the recent rains; and if so, when and what was the cause and extent of the damage;

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(f) what is the time that expired between the actual completion of the work, its opening ceremony and this accident;

(g) whether any competent authority of the Government has inspected the works since the breaking of the causeway and reported as to the nature and extent of the damage and the kind of repair that has to be done;

(h) what is the name of the contractor and whether the said contractor is a recognized and registered contractor of the Board; what are the relations between him and the President of the District Board;

(i) whether the said contractor has had any previous experience of such works or of any kind of masonry work at all; if so, whether there are any works in the Board or elsewhere that have been executed by him in the past; and

(j) whether he is a member of the District Board, Chingleput?

A.—(a) Rupees 37,700.

(b) Yes; the District Board took a loan of Rs. 18,800 from the Government.

(c) The estimate is within the sanctioning powers of the Superintending Engineer, and the Superintending Engineer, Madras Circle, must have scrutinized the estimate.

(d) The Government have no information.

(e) Yes; the damage occurred on 14th November 1928 to the extent of about Rs. 1,500 to Rs. 2,000.

(f) The Government have no information.

(g) The Government have called for a report from the Chief Engineer. So, the works will be inspected by the officers of the Public Works Department.

(h) & (i) The contractor was a district board contractor of 30 years' standing who has done various important works. The Government have no information as to his name, his relations with the President of the District Board or the specific works previously executed by him.

(j) The Government have no information.

Mr. P. BHAKTAVATSULU NAYUDU :—" May I know with reference to (d) whether it is not a fact or a usage that the Government generally inspect such major works of local boards especially when they grant a loan? "

The hon. Dr. P. SUBBARAYAN :—" I do not know of any such usage which the hon. Member refers to."

Mr. P. BHAKTAVATSULU NAYUDU :—" May I ask whether it is not incumbent on the Government according to rules that they should inspect such major works seeing that their money also is involved? "

Dr. B. S. MALLAYYA :—" May I know whether the Minister is aware that the Government deputed an engineer to inspect the works of the Corporation of Madras . . . ? "

The hon. the PRESIDENT :—" The question does not arise."

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Alleged irregularity in the payment of the Moir causeway contract.

* 1431-B Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the contractor who carried out the repairs to the Moir causeway at Uttukottai has been fully paid the whole amount due to him including his security;

(b) whether it is usual to retain 10 per cent of deposit money in such contracts; and

(c) if so, why in this case it was paid contrary to rules?

A.—(a) The Government have no information.

(b) & (c) There are several forms in which securities can be taken from contractors for the due performance of contracts and the deduction of 10 per cent from the monthly payments made on account of work done is one of them. The Government have no information regarding the practice in the district.

Mr. P. BHAKTAVATSULU NAYUDU:—“With reference to the answer to clause (a) of this question, may I say that the question was sent to the Council on the 1st”

The hon. the PRESIDENT:—“The hon. Member cannot make a statement now. He will kindly resume his seat.”

Mr. BASHEER AHMAD SAYEED:—“May I ask the hon. Minister whether he will call for the information and place it on the table of the House?”

The hon. Dr. P. SUBBARAYAN:—“I do not think there is any necessity to call for the information.”

Proposed bifurcation of the Hosur Taluk Board.

* 1432 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether there was or is any proposal before the Government to bifurcate the Hosur Taluk Board and if so at what stage the proposal stands at present;

(b) whether the taluk board of Hosur had or has at any time passed resolution urging the bifurcation of the taluk board; and

(c) if so, what action was taken by the Government and the reasons for that course of action?

A.—(a) & (c) There was a proposal to divide the taluk board into two. The Government vetoed it in June 1928.

(b) Yes.

Mr. BASHEER AHMAD SAYEED:—“May I know whether there were any substantial reasons for vetoing the proposal?”

The hon. Dr. P. SUBBARAYAN:—“The proposal was vetoed because the Local Boards Amendment Act was still under consideration.”

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Representation of Muslims in the South Arcot District Board.

* 1433 Q.—MR. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether it is a fact that whereas the Muslim community is represented by only two members the Christian community is represented by three members (inclusive of a lady) in the District Board of South Arcot?

A.—The members referred to are two Muhammadans, two Europeans and one Indian Christian lady.

MR. ABDUL HAMEED KHAN:—"May I know the basis on which two Europeans have been nominated while there is only one Muhammadan nominated?"

The hon. Dr. P. SUBBARAYAN:—"There is already one Muhammadan elected and one Muhammadan nominated."

MR. ABDUL HAMEED KHAN:—"May I know the basis on which these nominations have been made, i.e., why two Europeans have been nominated? Is it on the basis of population?"

The hon. Dr. P. SUBBARAYAN:—"It is on the basis of their interest in the district."

MR. BASHEER AHMAD SAYEED:—"Is the hon. Minister sure that one of the two Muhammadans is a nominated member?"

The hon. Dr. P. SUBBARAYAN:—"I am not quite certain of the fact."

Amendment of the Local Boards and Village Panchayats Acts.

* 1434 Q.—MR. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the conclusions of the conference held on 12th December 1928 and the following days under his presidency on the various subjects that he placed before it regarding amendments to Local Boards and Village Panchayats Acts;

(b) which of them the Government have accepted; and

(c) whether the Government propose to introduce Bills amending Local Boards and Village Panchayats Acts, 1920, and if so, when?

A.—(a) The conference arrived at the following conclusions:—

- (1) The Local Boards Act should be so amended as to bring village panchayats within its ambit and make them the unit of local self-government;
- (2) There should be a body for a suitable area to co-ordinate the work of panchayats and to carry on the functions of panchayats where panchayats do not exist;
- (3) There should be three local bodies in each district, the panchayat, the taluk board or union of panchayats (the name to be decided later on) which will be the body referred to in (2) and the district board;

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- (4) The functions of local boards should be divided as follows :—

Panchayats.	Taluk board or union of panchayats.	District board.
Elementary schools up to the higher elementary classes, village libraries, village roads, village sanitation, village fairs and festivals, water-supply.	Higher elementary schools, Central schools, Central library, main lines of communication connecting villages not of district importance, markets, minor railway feeder roads, vaccination, rural dispensaries, important fairs and festivals, water-supply, supervision of panchayats.	Trunk roads and other important roads, toils, buses, secondary education, public health, railway feeder roads and dispensaries (all medical aid not given by the village panchayat), protected water-supply.

- (5) In panchayats—

- (a) every adult in the village should be entitled to vote at panchayat elections ;
- (b) the strength of the panchayat should not be less than 7 and not more than 15 ;
- (c) all the members should be elected ; and
- (d) adequate representation of communities should be left to be provided for by rules.

- (6) As regards taluk board or union of panchayats—

- (a) the strength of the board may be as at present, viz., 12 to 24 ;
- (b) not more than one-fourth of the members should be elected by the panchayats from among themselves ; the remaining three-fourths should be left to direct election ;
- (c) all those who pay tax either to the local board, Government or municipality should form the electorate ;
- (d) elections should be held once in five years ; and
- (e) the means by which communal representation is to be secured should be provided for by rules to be made by the Local Government and placed before the Legislative Council for approval.

- (7) District boards—

- (a) Taluk boards should be represented on district boards only by the presidents of taluk boards ;
- (b) the electorate for the district board should be the same as that for the taluk board ;
- (c) the number of supernumerary members on each district board should not exceed two, one of whom should be an official ;
- (d) the official supernumerary member should not exercise his vote in the election of the president, district board ;

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- (e) panchayats should return two members from among panchayat members to the district board;
 - (f) the office of president, district board, should be filled by election. The Government should not reserve power to nominate the president except in the case of abolition of the board and even then only temporarily;
 - (g) any president, district board, on being elected to the Legislative Council should cease to hold office as president;
 - (h) an independent body outside the board such as a set of election Commissioners chosen from a panel of members elected by district boards should conduct elections; provision for this should be made by means of rules to be laid on the table of the Legislative Council the first set of rules being embodied in the Act itself, liable to be changed from time to time;
 - (i) the new provision in the Bill for the appointment of standing committees and executive officers should be deleted; and
 - (j) a definition of the term 'official' similar to the one in section 134 (7) of the Government of India Act should be inserted and the reference to the village headman in Chapter IV of the Act should be omitted;
- (8) New section 74-A should be so amended as to enable Government to provincialize only the posts of such officers as a majority of the district boards may require to be provincialized.
- (9) The power of the president under section 131 of the existing Act to inspect any place in which any dangerous disease is reported or suspected to exist should be extended to the health officer also.
- (10) The procedure to be adopted in case of non-payment of cart-stand fees should be introduced in the Act as has been done in section 107 (3) of the Act in respect of toll. Section 224 should also be so amended as to empower a magistrate to interfere.
- (11) New section 234 should be so amended as to provide that the decision of the arbitrator or joint committee should be reported to Government who should pass final orders.
- (12) A rule similar to rule 12-A of the Madras Legislative Council rules should be framed for the discussion of no-confidence motions on presidents. It may be provided that leave for the motion can be granted on the vote of one-third of the total strength of the Board. A date should be fixed for the discussion of the motion, within fifteen days. If there is a two-thirds majority for the motion, the president should resign. If the majority is less than two-thirds it should be open to Government to remove the president in order to prevent deadlocks in administration.

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(b) & (c) A draft Bill to amend the Madras Local Boards Act with reference to these conclusions is under preparation and it will be introduced when ready. The question whether the Village Panchayats Act should be repealed or revised will be decided when the provisions of the Local Boards Act are settled.

Mr. J. A. SALDANHA :—" With reference to the answers to clauses (b) and (c) of this question, may I enquire when the Bill which is being drafted will be introduced ? "

The hon. Dr. P. SUBBARAYAN :—" I cannot say. "

Mr. J. A. SALDANHA :—" Approximately in how many months, Sir ? "

The hon. Dr. P. SUBBARAYAN :—" Perhaps in July, Sir. "

Mr. A. KALESWARA RAO :—" May I ask whether the Government or the Minister have accepted the recommendations of the conference and are drafting the Bill on that basis ? "

The hon. Dr. P. SUBBARAYAN :—" The Bill is being drafted with some amendments and not exactly on the lines of the recommendations of the conference. "

Application of the Government Order regarding public service qualifications to local bodies.

* 1435-A Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether a Government Order has been issued recently regarding the employment of unqualified men by local bodies and if so, whether a copy of it will be placed on the Council table ;

(b) whether some chairmen and local board presidents have construed the Government Order to be applicable to all their office subordinates and applied to the Government for exemptions even in respect of posts for which no qualifications have been prescribed and whether the Government Order is intended to apply to the holders of such posts ; and

(c) whether the Government propose to issue a fresh Government Order making their intention clear on the point ?

A.—(a) A copy of a G.O. No. 3947, L. & M., dated 1st October 1928, regarding the employment of unqualified men by local bodies is laid on the table.

(b) Yes. The Government Order will obviously not apply to posts under local bodies in respect of which no qualifications have been prescribed by Government.

(c) The Government consider that G.O. No. 3947, L. & M., dated 1st October 1928, requires no elucidation.

Application of the Government Order regarding public service qualifications to local bodies.

* 1435-B Q.—Mr. A. PARASURAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether G.O. No. 3947, L. & M., dated 1st October 1928, was issued to all local bodies enjoining them not to employ or continue in their service any persons who are not qualified according to the rules relating to public service ;

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(b) whether the Government Order also says that if any of the presidents of local bodies and chairmen of municipal councils employ any persons who have not got the required qualifications, such presidents and chairmen will be liable to be surcharged with the pay of such employees;

(c) whether the Government propose to recommend the grant of any compensation in the case of persons of long service;

(d) whether the Government require that a certificate should be attached to every pay bill that the employee for whom the pay has to be drawn has the required qualification;

(e) whether it is the intention of the Government that the Government Order should be made applicable to all grades of officers irrespective of the fact that they have been long in service or that they belong to the clerical or other technical departments;

(f) whether the Government Order applies to those servants whose services have been lent to the local bodies by Government but who have or who have not been exempted by heads of the departments in which they were serving while in the Government service; and

(g) whether the Government will be pleased to restrict its application to servants who entered the service within three years?

A.—(a), (b) & (d) Yes.

(c) The Government may meet such cases as are really deserving by a relaxation of the rules; there is no intention to award compensation.

(e) & (f) Yes.

(g) The Government are not prepared to accept the suggestion.

Municipalities

Alleged arrears of taxes payable by Municipal Councillors.

* 1436 Q.—Mr. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have taken any and if so, what steps to see that the taxes of the councillors payable to their municipalities are not in arrears?

A.—The Government have taken no special steps in this matter.

Mr. P. BHAKTAVATSULU NAYUDU:—"May I know why the Government have taken no steps in the matter?" 11-15 a.m.

The hon. Dr. P. SUBBARAYAN:—"Because there is the Local Fund Audit Department who will draw the attention of the Chairmen of Municipalities to realize the taxes due from such of those councillors who are in arrears."

Civil Justice

Status and comforts of jurors and assessors.

* 1437 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact—

(1) that in proportion to the people possessing property, educational and voting qualifications, not more than one-tenth thereof are entered in the lists of jurors and assessors;

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(2) that a large number of those entered in the list are never summoned to sit as jurors or assessors; and

(3) that the gentlemen of higher status and education seldom serve as jurors or assessors;

(4) that the persons summoned are far in excess of the number required for service as jurors or assessors;

(5) that a large number of persons summoned evade the service of summons or send medical certificate as an excuse for absence;

(b) how the service of notices is made and by what agency;

(c) whether service by post has been tried and if so, with what success;

(d) whether there have been serious complaints as to the inadequacy of the travelling, conveyance and batta allowances;

(e) whether there have been proposals for increasing the rate and giving conveyance allowance to persons attending beyond a distance of half a mile;

(f) whether Government and the High Court have considered or are considering measures for improvement of the status, allowance, and comforts of persons convened as jurors and assessors; and

(g) if so, what measures are contemplated or have been sanctioned?

A.—(a) (1) The Government have no information.

(2) The Government have no information. The attention of the hon. Member is invited to section 326 (2) of the Code of Criminal Procedure.

(3), (4) & (5) The Government have no information.

(b) & (c) The Government have no information.

(d) No complaints have been received by Government.

(e) There has been no such proposal in recent years.

(f) & (g) There is no proposal under the consideration of Government. They have no information whether the High Court has any proposal under its consideration.

Mr. J. A. SALDANHA :—"May I enquire whether Government will be pleased to call for information and place it before the Council?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"No, Sir. The Government do not think that it will be in the public interests to call for the information, having regard to the amount of labour involved in the preparation of such an elaborate statement containing all the details the hon. Member desires."

Mr. J. A. SALDANHA :—"Are Government aware that the present system of jury and assessors is merely a farce?"

The hon. the PRESIDENT :—"That is asking for an opinion."

Mr. DANIEL THOMAS :—"May I know whether any batta is paid to jurors when they leave their headquarters and attend the courts?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I know that second class allowance is being paid to some jurors, but I do not know beyond what distance the jurors would be entitled to second-class allowance."

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Forests

Development of the lac industry in Javalagiri and Devarabetta.

* 1438 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that about 80 lb. of lac given by the Chief Conservator of Forests, Mysore, to this Government about a year ago have now developed to about 2,000 lb. in Javalagiri and Devarabetta (Salem district); and

(b) whether it is a fact that the Ranger in charge of the propagation of this lac has also been on spike duty?

A.—(a) Seventy-five pounds of lac were obtained from the Chief Conservator of Forests, Mysore, in two batches—35 lb. for the monsoon crop and 40 lb. for the post-monsoon crop. The monsoon crop failed, but the 40 lb. of lac used for the post-monsoon crop in November 1927 have developed to 2,562 lb. by the end of November 1928, that is, in one year. The experiment was conducted at two places, Javalagiri and Devarabetta.

(b) The Ranger was intended solely for “spike” experiments, but was ordered to take up the lac work also as the spike experiments were going on in the same locality.

Mr. K. R. KARANT:—“In view of the development of this industry, will the hon. the Law Member be pleased to consider the question, of separating the lac propagation work from that of spike work instead of entrusting both the works with one man?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I will consider the suggestion.”

Forest panchayats in South Kanara.

* 1439 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) the number of forest panchayats established in South Kanara with the rules in force and accepted by the panchayats;

(b) how the panchayats are working;

(c) whether it is contemplated to hand over the reserved forest at Hqsabettu and the two neighbouring villages to the Revenue department for management by panchayats; and

(d) if so, when the transfer will take place?

A.—(a) According to the Administration Report of the Forest Department for 1927–28 five panchayats are working in South Kanara.

(b) All the panchayats except one in South Mangalore division are reported to be working satisfactorily.

(c) & (d) No. The attention of the hon. Member is drawn to G.O. No. 38, Development, dated 7th January 1929, a copy of which was already communicated to him. An extract^a of the relevant portion of the Government Order is also appended.

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Mr. J. A. SALDANHA :—" May I enquire, in view of the budget estimate that is going to be presented shortly before this House, what the policy of the Government is in regard to Forests ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is under consideration."

Mr. J. A. SALDANHA :—" May I enquire whether the Government are not going to enunciate any policy at all in view of the fact that the budget estimate has already been prepared ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" With reference to this particular matter, I may say that Government can come to a conclusion only after receipt of a report from the Chief Conservator of Forests which, I am afraid, will take some months."

Mr. A. RANGANATHA MUDALIYAR :—" So, am I to take it that, so far as the present budget estimate is concerned, it is based on the old policy only ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Development of the plywood and tea-chest industry.

* 1440 Q.—Mr. J. A. SALDANHA : With reference to my question No. 249 answered on 8th September 1928, will the hon. the Law Member be pleased to state—

(a) in what stage of development the scheme for the installation of an experimental plywood and tea-chest industry is ;

(b) with what machinery and at what cost is the installation to be made ; and

(c) who the officer in charge is, his antecedents, qualifications and the department to which he belonged ?

A.—(a) The question of purchasing the required machinery is under consideration.

(b) The total ultimate cost of the machinery and buildings required to complete the installation is estimated at Rs. 1,51,660.

(c) The question of appointing a Foreman Superintendent is under consideration.

Forest policy of the Government.

* 1441 Q.—Mr. J. A. SALDANHA : With reference to the answer given to my question No. 250 answered on 8th September 1928, stating that the whole forest policy was under the consideration of Government, will the hon. the Law Member be pleased to state—

(a) what changes have been made or are contemplated in the same with reference to conservation, exploitation, regeneration, silviculture and staff, superior and subordinate and otherwise ; and

(b) what receipts, and increase or reduction of expenditure it will entail ?

A.—(a) & (b) The question is under the consideration of Government.

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Starting of Forest Panchayats in Ganjam district.

* 1442 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to state—

(a) whether the Government have taken any steps to start Forest Panchayats in the Ganjam district specially in the unreserved forests of Goomsur and Mohirry; and

(b) if not, whether they will be pleased to instruct the District Forest Officer, Ganjam, to begin the investigation of the same?

A.—(a) & (b) No. All the reserve forests in the Ganjam district are class I forests which are to be retained permanently under the Forest department. The Government have no information regarding the unreserves referred to.

Sriman BISWANATH DAS Mahasayo:—“With reference to the answer given to clause (a), may I know whether the Government have considered it proper to class the whole of Goomsur and Mohirry forests as class I forests and, if so, whether they base their decision on their own opinion or upon the opinion of the Chief Conservator of Forests?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Generally the decision of the Government in all such matters is based upon the reports of heads of departments.”

Sriman BISWANATH DAS Mahasayo:—“May I know when this report was submitted by the Chief Conservator of Forests?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Notice, Sir.”

Removal of forest boundaries in South Arcot district from neighbouring villages.

* 1443 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) whether any and if so, what steps have been taken from 1923 to the end of August 1928 in the district of South Arcot to move the boundaries of reserved forests away from villages whose agricultural lands or village sites were situated within a mile or half a mile of such boundaries; and

(b) how much of reserved forests were disafforested for this purpose and the villages concerned?

A.—(a) & (b) No inconvenience on account of proximity of reserved forest was complained of by the ryots of any villages in this district and consequently no reserves or portions of reserves were disafforested on this account.

Mr. R. SRINIVASA AYYANGAR:—“May I know whether any attempt was made by the District Forest Officer concerned to ascertain the opinion of the ryots who were immediately affected by these reserved forests?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“No complaint of any kind was received from the ryots and there was no necessity therefore to make any enquiry.”

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Jails

Working of the spinning factory in Coimbatore Central Jail.

* 1444 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) whether the spinning factory in the Central Jail at Coimbatore is fully equipped and ready to work;

(b) whether the working of the mill was stopped after a few days' working;

(c) if so, whether the work was stopped by the Superintendent for want of a qualified person to run the engine, etc.;

(d) whether his action was approved by the Inspector-General of Prisons;

(e) whether the Government have refused to sanction the necessary qualified hands as suggested by the Superintendent and, if so, under whose advice it was done;

(f) whether the Government have now sanctioned the necessary staff and, if not, whether there is a proposal to that effect before the Government; and

(g) whether any loss has occurred and is occurring on account of the stoppage of the work and, if so, to what extent?

A.—(a) to (d) Yes.

(e) The Government sanctioned the staff proposed by the Superintendent of the Jail and the Inspector-General of Prisons but in fixing their pay the Government were guided mainly by the recommendations of the Jail Industries Committee.

(f) The Government have under consideration a proposal for altering the pay of certain of the spinning mill staff already sanctioned and for the employment of an additional jobber.

(g) The Government have no information.

Mr. A. KALESWARA RAO:—"May I know whether the factory in the Central Jail at Coimbatore is a hand-loom factory?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The factory that is existing in the Central Jail at Coimbatore is a spinning factory. I do not know whether there is any weaving factory there at present."

Mr. J. A. SALDANHA:—"With reference to the answer given to clause (e), may I know what is the staff sanctioned by the Government on the recommendation of the Superintendent of the Jail?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I want notice, or if my hon. Friend will come to my room, I will give him the necessary information."

Mr. A. KALESWARA RAO:—"May I know how many spinning wheels are working?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

Mr. L. K. TULASIRAM:—"May I know how many spindles are working there?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

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Dr. B. S. MALLAYYA :—“ With reference to the answer to clause (g) that ‘ Government have no information ’, may I ask whether the Government have not got an Audit department or the Superintendent is not maintaining accounts and therefore whether it is not possible for them to give us the figures that have been asked for ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It will be possible.”

Mr. BASHEER AHMAD SAYEED :—“ Will they call for the information ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ No, Sir.”

Mr. BASHEER AHMAD SAYEED :—“ Why not ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not think the public benefit that will be derived will be proportionate to the extent of the trouble necessary in making the enquiry.”

Mr. P. ANJANEYULU :—“ When the principle is admitted that there has been a loss in the working of the Mills in the Central Jail at Coimbatore, I do not know why the Government is so callous as not to call for the information asked for and place it before this House ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ My answer is that the public benefit that will be derived is not proportionate to the trouble that is involved in making that enquiry and furnishing the information.”

Labour

Recruitment of labourers to Assam Tea estates from the Agency tracts.

* 1445-A Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Home Member be pleased to state—

(a) the number of people from each of the plains of Ganjam, Vizagapatam and Godavari districts who are recruited to each of the Tea districts in Assam and Bengal in each of the years of 1921 to 1928, both years inclusive ;

(b) the number of people that have been recruited from each of the three Agency tracts of Ganjam, Vizagapatam and Godavari districts for the years 1921, 1922, 1923, 1924, 1925, 1926, 1927 and 1928 for places stated in clause (a) above ;

(c) the sort of control exercised by the Government on the labour recruiters ;

(d) the number of labourers that have been allowed to repatriate in each of the eight years from 1921 to 1928, both years inclusive, from each of the Tea districts of Assam and Bengal to each of the Agency and plain tracts of the abovementioned three districts ?

4.—As the hon. Member is aware ‘ Inter-provincial migration ’ is a Central subject.

(a) & (b) There is no control over recruitment for tea districts in the Bengal Presidency. As regards the tea districts in Assam, the recruitment is made in accordance with the provisions of

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the Assam Labour and Emigration Act, 1901, and the notifications issued thereunder. The Act permits recruitment to the following tea districts of Assam called 'Labour districts' in the Act:—

- | | |
|----------------|---------------|
| (1) Lakhimpur. | (5) Kamrup. |
| (2) Sibsagar. | (6) Goalpara. |
| (3) Nowgong. | (7) Cachar. |
| (4) Darrang. | (8) Sylhet. |

The Government have no information regarding the number of persons recruited separately for each of the tea districts. Information regarding the number of persons recruited from the Ganjam, Vizagapatam and Godavari districts is given below:—

For the year ending			Ganjam.	Vizagapatam.	Godavari.	
June 1921	..	{ Agency .. Plains ..	309 1,145	203 1,619	}	297*
June 1922	..	{ Agency .. Plains ..	322 679	440 1,403		
June 1923	..	{ Agency .. Plains ..	202 584	1,625 1,298	}	387*
June 1924	..	{ Agency .. Plains ..	1,954*	1,888 4,731		
June 1925	..	{ Agency .. Plains ..	3,072*	2,029 3,782	}	340*
					Godavari.	
					East.	West.
June 1926	..	{ Agency .. Plains ..	4,489*	2,510 913	}	133* 33*
June 1927	..	{ Agency .. Plains ..	6,740*	2,760 ^c 430		
June 1928	..	..	2,360*	3,709*	153* 31*	

The figures include dependents.

* Separate figures are not available for Agency.

- (c) Under the Assam and Labour Emigration Act and the rules issued thereunder, employers in the labour districts can recruit labour only by means of garden sardars who must be persons employed in the estates for which they are recruiting and have to be authorized by certificates granted by their employers. In the recruiting district the garden sardars have to work under the control of local agents who must be officially licensed. The District Magistrate is competent to cancel the licence of any local agent who has not exercised due care in preventing misconduct on the part of sardars accredited to him or has failed to report any illegal act committed by any such sardar.

The supervision over garden sardars is exercised through the local agents under section 64 of the Act and condition 13 of the conditions to the notification No. 505, dated 5th September 1923, published at pages 570-571 of Part I of the *Fort St. George Gazette*.

- (d) The Government have no information.

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Sriman BISWANATH DAS Mahasayo :—“ It has been said in answer to clauses (a) and (b) that there is no control over recruitment for tea estates in the Bengal Presidency. May I know why no control has been exercised by the Labour Commissioner and whether he has not even the necessary information on this subject ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ That is a matter of policy for the Government of India.”

Sriman BISWANATH DAS Mahasayo :—“ Looking at the table given, may I know what steps are being taken by the Government to exercise certain control over the recruitment of labour and also to alleviate the distress of the coolies that are working in those tea plantations ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ As I said, it is a central subject and our duty is simply to carry out the policy of the Government of India.”

Sriman BISWANATH DAS Mahasayo :—“ Are we to understand that this Government have nothing to do with the labourers that are recruited to Assam ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ We have only to carry out the policy of the Government of India.”

Mr. P. BHAKTAVATSULU NAYUDU :—“ May we know whether he will get the information from the Government of India ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ No, Sir.”

Mr. A. KALESWARA RAO :—“ May I know whether the Government entertains any care for the welfare of these labourers ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Yes, Sir.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know what the qualifications of these garden sardars are ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ Notice, Sir.”

Mr. P. BHAKTAVATSULU NAYUDU :—“ May I know whether this Government have nothing to do with the labourers ? What has the Collector to do in his capacity as Protector of Immigrants ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ As I said already, the Government of India are to dictate the policy in the matter and we are simply to carry it out.”

Mr. G. HARISARVOTAMA RAO :—“ May I know, Sir, whether the Collectors of districts are taking any care at all about these labourers, what arrangements have been made to take care of them and how those arrangements are working at present ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ Notice, Sir.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know if there are any arrangements by which the Government or their agents satisfy themselves that those who are empowered to recruit these labourers do their work properly and that the labourers go to Assam of their own accord ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ Yes, there is the agency of the Collectors and District Magistrates.”

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Mr. A. RANGANATHA MUDALIYAR :—" May I know what arrangements are made with reference to each district in this Presidency ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

Mr. S. SATYAMURTI : " With reference to this matter, may I know what are the functions of the Local Government ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The functions are simply to carry out the policy of the Government of India."

Mr. S. SATYAMURTI :—" With regard to the appointment of garden sardars, may I know what are their qualifications and what are the rules relating to their appointment and whether those rules are laid down by the Government of India or by this Government ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The principles are laid down by the Government of India and the details are worked out by us ? "

Mr. S. SATYAMURTI :—" What are those details ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know exactly the conditions under which these labourers are recruited for Assam and the control exercised by this Government over the recruiting agents ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. S. SATYAMURTI :—" With reference to the answer given in clause (c), may I know whether the licence was cancelled in any case where the garden sardar did not exercise due care in supervising the work of recruitment ? May I know whether any licence was cancelled by any District Magistrate ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I must ask for notice, Sir."

Mr. A. KALESWARA RAO :—" Have the District Collectors any staff under them to exercise control over those who recruit labour ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Yes, they have."

Mr. A. KALESWARA RAO :—" What staff ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" They have got Tahsildars and other subordinates."

Mr. A. RANGANATHA MUDALIYAR :—" So, the Government feel themselves satisfied that the Tahsildar goes and inspects the places of accommodation where these labourers are kept pending their transfer to plantations and that he assures himself of the voluntary character of the recruitment ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

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Alleged contracts in recruiting labourers to Assam and Bengal Tea estates from the Agency tracts.

* 1445-B Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the existence of a 'civil contract' in Assam and Bengal Tea estates by which the system of labour recruitments is perpetually kept on by means of annual contracts;

(b) what the conditions of those contracts are;

(c) the Act or the rules under which recruitment for the Tea gardens of Dooars, Terai, Tipperah, Darjeeling and Chittagong are made; and

(d) the number of absconders (labourers) that have been reported in each of the years 1925, 1926, 1927 and 1928, from the Tea districts of Assam and those of Bengal separately?

A.—(a), (b) & (c) There is no labour contract in regard to recruitment to the labour districts in Assam. The Government have no information regarding the Tea estates in Bengal, recruitment to which is not controlled by any law.

(d) The Government have no information.

Sriman BISWANATH DAS Mahasayo:—"The reply given to clauses (a), (b) and (c) is 'there is no labour contract'. May I know whether the Government are aware there is such a thing called 'Civil contract'?"

The hon. the PRESIDENT:—"The hon. Member must take another opportunity for giving his information."

Sriman BISWANATH DAS Mahasayo:—"Now, on the basis of the information I have now given, may I ask whether the Government would enquire into the existence of a 'Civil contract' in Assam and Bengal Tea estates?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Notice, Sir."

Mr. FASHEER AHMAD SAYEED:—"Will the Government seek to make any difference between civil contract and labour contract?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Notice, Sir."

Mr. S. SATYAMURTI:—"May I know whether, in view of the fact that recruitment to various tea estates is admitted by the Government, there is any law which governs it and whether the Government have any intention of bringing such recruitment under control?"

Newspapers

Newspapers publishing Government advertisements.

* 1446 Q.—Mr. K. V. R. SWAMI: Will the hon. the Home Member be pleased to state—

(a) the names of the newspapers to which Government advertisements were given in each of the years from 1920 to 1927; and

(b) whether such advertisements are given without any distinction either political or otherwise?

A.—(a) The Government have no information.

(b) Yes.

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Mr. K. V. R. SWAMI :—" May I know whether the Government are aware in which newspapers their advertisements are appearing ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Our policy is to give advertisements to papers without making any distinction on political grounds."

Mr. K. V. R. SWAMI :—" I am not asking about the policy of the Government in giving advertisements to newspapers. I am simply asking whether the Government know the newspapers in which their advertisements are published."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government have no information ; we can get the information from the Heads of Departments, but it would involve a good deal of labour."

Mr. A. RANGANATHA MUDALIYAR :—" May I ask if there is a list of papers to which advertisements should not be sent ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, if the Government do not exercise any control over the Heads of Departments with regard to the choice of papers in which Government advertisements are to be published ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir."

Mr. A. KALESWARA RAO :—" May I know, Sir, whether the distinction of co-operating and non-co-operating papers is still maintained by the Government ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir."

Mr. R. NAGAN GOWDA :—" May I ask whether the advertisements are sent to all papers ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I think so, Sir. I have already stated that no distinction is made on political grounds."

Mr. K. MADHAVAN NAYAR :—" The Government say, in clause (a), that they have no information and in clause (b) that advertisements are given without any distinction either political or otherwise ? May I know on what information the Government have given answer to clause (b) ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government have passed orders to that effect."

Mr. S. SATYAMURTI :—" May I ask whether *Swarajya* is one of the papers to which advertisements are being regularly sent ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is not possible to answer the question now."

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Irrigation

Construction of an anicut on the Kistna near its junction with Tungabhadra.

* 1447 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether there was a proposal at any time to construct an anicut on the Kistna at or near its junction with the Tungabhadra and form an irrigation scheme useful to the neighbouring Andhra districts;

(b) why the proposal has not been carried out; and

(c) whether the Government intend to revive the consideration of the scheme and take up its execution very early?

A.—(a) Yes. The Sangameswaram project.

(b) & (c) The attention of the hon. Member is invited to the answer to clauses (b), (c) and (d) of question No. 423 at the meeting of the Legislative Council on the 27th August 1927.

Improvement to drains in certain villages in West Godavari district.

* 1448 Q.—Mr. D. NARAYANA RAJU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the ryots of Chataparru Madepalli, Ponangi and Kovvali villages in West Godavari district had on 11th September 1927 submitted a memorial to Government praying for speedy improvements to certain drains affecting their fields;

(b) whether it is a fact that Government informed the ryots in reply that no scheme was found feasible to improve the condition of the drains in question;

(c) if the answer to (b) be in the affirmative, what the schemes were that had been examined by Government and found not feasible and what the difficulties were that were found insurmountable in that connexion; and

(d) whether the Government will be pleased to place on the table of the House all relevant papers thereon?

A.—(a) Yes.

(b) Yes.

(c) & (d) The Chief Engineer's letter No. 600/27-C-2, dated 9th June, 1927, is laid on the table.

Mr. D. NARAYANA RAJU:—"It appears that more than one proposal was dropped on the ground of cost. May I know from the Government to what extent they are prepared to spend on these drains which are admitted to be in need of improvements?"

The hon. Sir NORMAN MARJORIBANKS:—"The actual figure has not been worked out."

Mr. D. NARAYANA RAJU:—"May I know if the Government will work out the probable cost of carrying improvements to the drains?"

The hon. Sir NORMAN MARJORIBANKS:—"We have first to see what is practicable."

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Supply of water for second crop irrigation under "closed channels".

* 1449 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state, with reference to the answer to question No. 902 answered on the 29th November 1928 regarding supply of water for second crop irrigation under "closed channels" in the East Godavari district—

(a) whether the report referred to in the answer has been received and whether the Government have passed orders thereon; and

(b) if so, whether the same will be placed on the Council table?

A.—(a) Yes.

(b) It is laid on the table.*

Extension of the Mettur Project to districts other than Tanjore.

* 1450 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state the latest developments in the scheme for extending the benefits of the Mettur Irrigation Project to districts other than Tanjore?

A.—So far as the Salem district is concerned, the Government have issued orders in G.O. No. 1 I., dated 2nd January 1929, appointing a special staff to investigate the scheme afresh. These orders have been placed on the Editors' table. As regards the Coimbatore district, the only feasible way is to connect up the late Mr. Moss's West Side channel with the reservoir. A fairly accurate estimate has already been prepared for the scheme. It shows that in order that the scheme might be productive a water-rate of Rs. 27 per acre would have to be levied. This is on the basis of the sanctioned estimate for the Mettur Project, viz., Rs. 612 lakhs. The revised estimate is Rs. 737 lakhs, and consequently the water-rate to be levied might have to be increased further. In the Trichinopoly district, it is proposed to investigate, *inter alia*, the following two schemes:—

- (i) the High Level Channel scheme to branch off from the South Bank canal and the maximum extent that can be brought under irrigation in that area, and
- (ii) the restoration of the old course of the Uyyakondan channel. Extension of irrigation in this district will depend on the results of the investigation for which a subdivision has been sanctioned with effect from 1st February 1929.

Mr. J. A. SALDANHA :—"May I enquire whether there will be a reduction of the area that will be irrigated in Tanjore district, if the Mettur Project is extended to Salem and Coimbatore districts?"

The hon. Sir NORMAN MARJORIBANKS :—"Yes, Sir, unless an improvement can be effected by Cauveri water."

Mr. J. A. SALDANHA :—"If there is reduction of the area in Tanjore district, may I know whether there would be any possibility of the water-rate being increased in respect of the lands in Salem and Coimbatore?"

The hon. Sir NORMAN MARJORIBANKS :—"Yes, because the works necessary to supply water to these areas cost us very much."

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Mr. J. A. SALDANHA :—“ It is stated that the revised estimate is Rs. 737 lakhs, and that, consequently, the water-rate to be levied might have to be increased further. May I ask whether, in view of the fact that there will be decrease in the area to be irrigated in the Tanjore district, the Government still consider that there will be a possibility of the rates being increased beyond the present estimated rate of Rs. 27 per acre? ”

The hon. Sir NORMAN MARJORIBANKS :—“ It is only a possibility if the scheme is found practicable.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ May I know whether the Government have considered the possibility of irrigating lands in Bhavani taluk by Cauveri water? ”

• The hon. Sir NORMAN MARJORIBANKS :—“ That is one of the schemes that has been estimated for.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ May I know if the proposal is to dig a channel from the reservoir on the western side? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I believe so; if the hon. Member wants correct information, I should like the hon. Member to give me notice.”

Repairs to old and leaky tanks in Coimbatore district.

* 1451 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government received a copy of the resolution of the Ryots' Sangam of Coimbatore, dated 1st February 1928, regarding the repair of old and leaky tanks and whether in reply they sent an endorsement, dated 19th February 1928, that the Chief Engineer (Irrigation) would be asked to make a report regarding the same; and

(b) whether the Government have received the Chief Engineer's report on the matter and if so, whether it will be placed on the table of the House?

A.—(a) A copy of the resolution passed at a meeting of the District Ryots' Sangam of Coimbatore held on 28th October 1927 and 8th February 1928, was received through the Honorary Secretary of the Sangam, M.R.Ry. V. C. Vellingiri Goundar Avargal. In an endorsement, dated 19th March 1928, the Chief Engineer for Irrigation was asked to report on resolution No. 3 of the Sangam regarding the repair of old and leaky tanks, etc., and a copy of this endorsement was communicated to Mr. V. C. Vellingiri Goundar.

(b) The Superintending Engineer's report with its enclosure forwarded by the Chief Engineer (Irrigation) is laid on the table.* A further reference has been made to the Collector on the subject of the minor irrigation tanks mentioned in the Executive Engineer's letter. The resluicing of the Tadepalli and Arkenkotah channels is in abeyance until the results of the experiments on duty, absorption, etc., to be conducted in the Vaniputhur branch of the Arkenkotah channel are known. The Chief Engineer's proposals in this regard have been referred to the Board of Revenue for report.

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Mr. R. NAGAN GOWDA :—"It is stated in the Chief Engineer's letter that 50 per cent of the estimated cost is to be borne by the ryots. May I know on what ground contribution from the ryot is asked for?"

The hon. Sir NORMAN MARJORIBANKS :—"I must ask for notice."

Agreement between the Mysore and Madras Governments regarding the regulation of the Cauvery water.

* 1452 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether there has been any intimation from the Government of Mysore that they are not satisfied with the present agreement between that Government and the Government of Madras regarding the regulation of the Cauveri water;

(b) whether the Government have taken any steps in the matter and, if so, to what effect;

(c) whether it is a fact that it is contemplated to refer the disputes to a Board of Arbitration and to include some non-official gentlemen also as members of the Arbitration Board; and

(d) whether the Government will be pleased to give a detailed statement as to how matters stand at present regarding the question?

A.—(a) & (b) The answer to clause (a) is in the negative.

(c) & (d) The attention of the hon. Member is invited to Rules 7 and 8 of the Rules of Regulation of the Krishnarajasagara Reservoir annexed to the 1924 agreement which was placed on the Editors' table with G.O. No. 228 I., dated 3rd July 1924. Difference has arisen between the two Governments as regards Rule 8. Under that rule, the discharges corresponding to the gauge readings mentioned in Rule 7 have to be worked out on the basis of the joint gaugings of the ten years ending with 1926 and adopted for all subsequent regulation. The Mysore Darbar contend that on account of the floods of 1924 the regime of the river altered and that they cannot accept the results of the gaugings made after the floods, which gave larger discharges than in the previous years. They suggest that the gaugings for the seven and a half years preceding the floods might be taken as the basis of all future regulation. The Madras Government do not agree and insist on a strict observance of the rule as the idea of an average presupposes circumstances such as those above referred to. As no agreement could be reached, the matter is to be decided by an Arbitration Committee consisting of a High Court Judge to be nominated by both the Governments and two other arbitrators, one to be nominated by each of the Governments, the decision of the majority prevailing. There are other points of difference of a technical nature in the working of the Rules of Regulation of the Krishnarajasagara Reservoir which have not yet emerged from the stage of negotiation and in the event of a dead-lock in any or all of those questions they also may eventually have to be referred to arbitration.

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Mr. S. SATYAMURTI :—“ May I know, with regard to the last two sentences of the answer to clauses (c) and (d), when the Government expect the arbitration to begin on the matter ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ In April.”

Mr. S. SATYAMURTI :—“ This year ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Yes.”

Land Revenue

Alleged assault on one Kandan of Latteri by the Tahsildar of Gudiyattam.

* 1453-A Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to enquire and state—

(a) whether soon after Mr. Gnanaprakasam was posted to act as Tahsildar of Gudiyattam he assaulted one Kandan of Latteri ;

(b) whether Toti Kandan filed a criminal complaint against the Tahsildar before the Sub-Magistrate, Gudiyattam ;

(c) how the case was disposed of ; and

(d) what notice was taken of the conduct of Mr. Gnanaprakasam in that connexion ?

A.—(a) to (d) A report will be called for.

Mr. R. NAGAN GOWDA :—“ May I ask whether information has been received since this answer was given ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Not so far as I am aware of, Sir.”

Alleged assault of Toti Muthan by the Tahsildar of Gudiyattam

* 1453-B Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to call for a report regarding the assault made by Mr. Gnanaprakasam, Tahsildar, on Toti Muthan of Latteri in the North Arcot district in 1925 or 1926 and place the same on the Council table ?

A.—If the allegation in this question is the same as that in question No. 1453-A, the hon. Member is referred to the answer to that question. If this is a different case, a report will be called for and the question of placing papers on the table considered after such report shall have been received.

Alleged assault of a ryot at Katpadi by the Tahsildar of Gudiyattam.

* 1453-C Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have obtained the necessary particulars regarding the assault on a ryot at Katpadi by Mr. Gnanaprakasam till recently Tahsildar of Gudiyattam ;

(b) whether the Collector of North Arcot made any independent enquiry regarding the assault at Katpadi ;

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(c) whether the Tahsildar himself obtained a statement from the monigar of the village screening the tahsildar from complicity in the affair ;

(d) whether the Government will be pleased to lay all the connected papers on the table ;

(e) whether it is a fact that this same Tahsildar recommended for dismissal the karnam of the adjoining village of Kangayanallur who happened to be an eye-witness to the occurrence and got him dismissed ; and

(f) whether it is a fact that the District Collector restored the karnam to office seeing that the charges against him were groundless ?

A.—(a), (b), (c), (e) & (f) An enquiry has been ordered and a report has been called for from the Collector of North Arcot on an affidavit communicated to the Government by the hon. Member which affidavit makes certain allegations against the Tahsildar. The allegations contained in clauses (c), (e) and (f) will also be communicated to the Collector for report.

(d) The request will be considered when the report has been received.

Public Service

Report of the committee to enquire into the grievances of non-gazetted officers.

* 1454 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the proposals of the Special Officer Mr. A. R. (afterwards Sir Arthur) Knapp regarding the disabilities of the non-gazetted services were placed before a Committee of the Legislative Council for consideration and report, and if so, when ;

(b) whether the Committee submitted a report on those proposals ; and

(c) if so, when ; and, if not, why not ?

A.—(a) Yes. In February 1921.

(b) & (c) The Committee submitted an ad interim report on the 1st March 1921. No further report was received by Government.

Mr. J. A. SALDANHA :—“ May I enquire what action was taken on the report of the Committee submitted on February 1921 ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Notice, Sir.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I ask what steps were taken to obtain the final report ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Notice, Sir.”

Mr. BASHEER AHMAD SAYEED :—“ May I know if the Government will place before the House the specific reasons for taking no action on the report ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I did not say that no action was taken ; I just asked for notice of that question.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether certain recommendations of the Committee were not accepted by the Government ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I am sorry I cannot answer the question now ; I must ask for notice.”

Mr. BASHEER AHMAD SAYEED :—“ May I know whether there is any proposal to take any action on the report now ? ”

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The hon. Sir NORMAN MARJORIBANKS :—" So far as I am aware, all the action to be taken has been taken already."

MR. A. KALESWARA RAO :—" May I know whether the report is still pending with the Government for the last 8 years or has been lodged ?"

The hon. Sir NORMAN MARJORIBANKS :—" The matter has been disposed of. All action, the Government wanted to take, has been taken already."

Village Establishments

Jamabandi allowance to village menials in Gudiyattam taluk.

* 1455 Q.—MR. T. ADINARAYANA CHETTIYAR : With reference to the answer to question No. 451 answered on 9th October 1928 regarding the jamabandi allowance to village menials of Gudiyattam taluk for fasli 1336, will the hon. the Member for Revenue be pleased to state whether the report called for from the Board has been received and if so whether he will be pleased to lay it on the table of the House with the orders of Government thereon ?

A.—Copies of the reports^a from the Board of Revenue, dated 29th September 1928 and 12th October 1928, and of G.O. No. 2781, Revenue, dated 27th November 1928, are laid on the table.

Water-rate

Alleged prohibition of baling water for irrigation from the Manjalnathi river.

* 1456 Q.—MR. S. ARPUDASWAMI UDAYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the ryots of Punvaramkottai and Karattupatti villages in Nilakottai taluk, Madura district, had ever since the formation of those villages enjoyed the right of irrigating their fields by baling water from the Manjalnathi flowing east of Manjal ancient in Butlagundu ;

(b) whether it is a fact that water-rates had been levied from them for the use of water of the river both for single and double crops ;

(c) whether they were at any time prohibited from using this water ; and

(d) whether such prohibition extends to their baling water from springs caused by the deepening of the bed of the river in certain places ?

A.—(a) to (d) The Government have no information on the subject A report has been called for.

Wild animals

Loss of lives of men and animals in the villages adjoining Gumsoor forests by tigers.

* 1457 Q.—SRIMAN BISWANATH DAS' Mahasayo : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received any information about the loss of lives of men and animals in the villages adjoining the Gumsoor forests by tigers ;

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(b) whether they will be pleased to call for information as to the number of deaths of men as also of animals in these villages due to tigers in 1926-27 and to the end of November in 1928; and

(c) the action they propose to take to relieve the people from such terror?

A.—(a) The only informations available are the mortality statistics. In regard to human mortality due to the attacks of wild animals these statistics were on verification of specific entries found to be based on no reliable information. Accordingly detailed instructions have been issued in the matter but the Government fear that it will take a year or two before any improvement in the direction of accuracy will result.

(b) The Government do not consider that any information recorded for the year 1926 or 1927 are likely to be trustworthy. If the hon. Member is suggesting that there has been recently many attacks on human beings near Gumsoor, a report will be called for.

(c) With a view to encourage the destruction of wild animals, the Government offer rewards for the killing of tigers, leopards, panthers and cheetahs on the scale laid down in Board's Standing Order No. 196.

Police

Arrest of certain Andhra leaders on 17th February 1929.

* 1457-A Q.—Mr. ABDUL HAMMED KHAN: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that certain Andhra leaders including Messrs. Konda Venkatappayya and K. V. R. Swami were arrested by the Police on the 17th instant;

(b) whether they were arrested without any warrants; and if so, why;

(c) whether the arrest was under section 151, Criminal Procedure Code, and if so, what was the information against each of them within the knowledge of the Police who arrested them;

(d) who gave the information to the Police in each case;

(e) whether they were released on the same day;

(f) whether the arrest and the release of either of them were made under the orders or with the knowledge of the Government; and

(g) whether the Government have made any investigation in regard to the arrests of these leaders, and if so, what is the result of the investigation and what action has been taken by the Government?

A.—(a) Four persons were arrested including those mentioned by the hon. Member.

(b), (c) & (d) They were arrested without warrants under section 151, Criminal Procedure Code. The Police had credible information that these men intended to disturb the public peace on the 18th February 1929.

(e) Yes.

(f) No.

(g) The Government have made enquiries and elicited the information given in the answers to the previous clauses.

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Mr. ABDUL HAMEED KHAN :—" May I know whether the Commissioner of Police himself was aware of these arrests ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" He was aware of them."

Mr. ABDUL HAMEED KHAN :—" May I ask whether warrants were issued against a large number of persons or only against these three persons ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No warrants were issued against anybody."

Mr. ABDUL HAMEED KHAN :—" May I know whether the Commissioner of Police has powers to arrest anybody indiscriminately ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir."

Mr. ABDUL HAMEED KHAN :—" What is the nature of the disturbance that was apprehended from these gentlemen ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The nature of the disturbance that was apprehended was that they would not obey any lawful orders that might be issued with regard to the route of the procession and with regard to any other matters."

Mr. ABDUL HAMEED KHAN :—" May I ask whether section 151, Criminal Procedure Code, is generally issued against robbers and thieves ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I do not know, Sir."

Mr. D. NARAYANA RAJU :—" May I know whether the information received by the Police was against these four persons only or against any others also ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Against seven persons."

Mr. D. NARAYANA RAJU :—" May I ask why the other three persons also were not similarly dealt with ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Having heard that they were likely to be arrested they went to the Assistant Commissioner of Police and gave assurance that they would not commit any breach of peace."

Mr. D. NARAYANA RAJU :—" Was the assurance given in writing or orally ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Orally."

Mr. A. RANGANATHA MUDALIYAR :—" The hon. Member said that he apprehended that these people would not obey any lawful orders that might be issued with regard to the route of the procession. May I know whether any route was prescribed or notified ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Any lawful orders, which may be passed on the 18th instant, with regard to the route."

Mr. A. RANGANATHA MUDALIYAR :—" The Police are said to have arrested these people on credible information. Was that information found to be unreliable afterwards ? "

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The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir ; it was absolutely reliable."

Mr. A. RANGANATHA MUDALIYAR :—" Then why were they released ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" They gave an assurance that they would not commit any breach of the peace or disobey any lawful orders the Commissioner might pass."

Mr. R. SRINIVASA AYYANGAR :—" Will the hon. Member be pleased to give a single instance in which section 151 of the Criminal Procedure Code was put into operation, so far as he is aware ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

Mr. S. SATYAMURTI :—" May I know what is the source of the credible information ? Is it from the Criminal Intelligence Department ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Under the Evidence Act it is not obligatory on the part of the Police to reveal the source of information. The Government think that it would not be to the public interest to reveal it."

Mr. S. SATYAMURTI :—" May I know what is the cognizable offence which Mr. Swami Nayudu and Mr. Konda Venkatappayya were about to commit ? What is the cognizable offence that was brought to the notice of the Government or of the Police as being liable to be committed by these two persons ? "

The hon. the PRESIDENT :—" I think the hon. Member is arguing."

Mr. S. SATYAMURTI :—" I am asking what are the acts which Mr. Swami Nayudu was about to commit which would amount to a cognizable offence."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have already answered it."

Mr. A. RANGANATHA MUDALIYAR :—" May I ask whether any orders were issued legally or otherwise by the Commissioner of Police about the route of the procession even on the 18th instant ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should like to have notice of the question."

Mr. R. SRINIVASA AYYANGAR :—" May I ask on what date precisely this credible information was received by the Police ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" A day or two before the 18th."

Mr. R. SRINIVASA AYYANGAR :—" Was the information received by the Police in general or by any particular Police officer ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

Mr. C. RAMASOMAYAJULU :—" May I ask whether the Police settled any route at any time till the 17th ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Notice, Sir."

Mr. A. KALESWARA RAO :—" May I ask whether the Police directly told these people the route along which the procession should go, when the former interviewed the latter in the jail ? "

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The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“These people were arrested and taken to the Assistant Commissioner of Police; they gave assurance there that they would not disobey any lawful orders that might be passed; thereafter they were released.”

Mr. A. RANGANATHA MUDALIYAR:—“May I know whether the arrested people were asked to put their assurance in writing and whether they refused to do so?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“No, Sir.”

Mr. R. SRINIVASA AYYANGAR:—“In view of the fact that the section postulates a design to commit a cognizable offence, may I ask the hon. the Home Member to state the nature of the particular offence these persons were supposed to be about to commit?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I have already answered that question.”

Dr. B. S. MALLAYYA:—“May I ask the hon. the Home Member to say whether the information which the Police had was from the Circars or from the local police and on what date it was received by the Commissioner of Police?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I have already stated that in the public interest I must decline to answer that question.”

Arrest of certain Andhra leaders on 17th February 1929.

* 1457-B Q.—Mr. C. OBI REDDI: Will the hon. the Home Member be pleased to state—

(a) why and for what offence Desabhakta Konda Venkatappayya, Purniah Sastri and Mr. K. V. R. Swami Nayudu were arrested by the Police on 17th February 1929;

(b) what was the incriminating material with the Police against the said gentlemen at the time of their arrest;

(c) whether there was any consultation by the Commissioner of Police, Madras City, with the hon. the Law or Home Member in this matter prior to the said arrest; and

(d) whether the Advocate-General was also consulted in this affair by Police prior to arrest?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 1457-A.

(c) No.

(d) No.

Mr. A. KALESWARA RAO:—“May I know whether these gentlemen refused to sign bail bonds when they were asked to do so by the Police?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“They were not asked to sign any bail bond.”

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Arrest of certain Andhra leaders on 17th February 1929.

* 1457-C Q.—Mr. C. GOPALA MENON: Will the hon. the Home Member be pleased to state—

(a) the grounds on which Mr. K. V. R. Swami, Bar.-at-Law, M.L.C.; and six others were arrested or had warrants of arrest issued against them on or about Sunday the 17th February;

(b) the conditions on which those leaders were released within two hours of their arrest; and

(c) why three of them were not arrested although arrest warrants were issued against them?

A.—(a) The hon. Member is referred to the answer to question No. 1457-A.

(b) On the assurances given by themselves or by the hon. Mr. V. Ramdoss Pantulu.

(c) No warrants were issued against them.

Mr. C. GOPALA MENON:—“May I ask whether the assurances given by the arrested leaders or by hon. Mr. V. Ramdoss Pantulu were in writing or oral?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“As far as I know, it was oral assurance.”

Mr. S. SATYAMURTI:—“Apart from bail bonds, may I ask whether these persons were asked to sign any other paper?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“No, Sir.”

11-20 a.m. Mr. A. RANGANATHA MUDALIYAR:—“With reference to the answer to clause (b), may I know the names of those who were released on the assurance of Mr. Ramdoss Pantulu and those who were released on their own assurance?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“Mr. Konda Venkatappayya and Mr. K. V. R. Swami were released on their own assurance and Mr. Ramdoss Pantulu gave assurance on behalf of Ponnayya Sastri and K. Venkata Rao.”

Mr. K. MADHAVAN NAYAR:—“To whom were the assurances given?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“To the Assistant Commissioner of Police.”

Mr. A. KALESWARA RAO:—“May I know whether when these gentlemen can be released on mere oral assurances, why could they not have been asked previously . . .”

The hon. the PRESIDENT:—“That is cross-examination.”

Mr. C. RAMASOMAJULU:—“May I know whether they were released without any bond from them or without any bail bond?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“I have already answered that.”

Mr. C. RAMASOMAJULU:—“May I know from the Government whether Government released these people either on their own bond in writing or on any other person giving any assurance in writing?”

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The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I have already answered that."

Mr. ABDUL HAMID KHAN:—"May I know if the assurances that they gave were to the effect that they will follow any particular route or anything else?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"That they would not disobey any lawful orders which might be issued by the Commissioner of Police."

Mr. C. RAMASOMAYAJULU:—"May I take it that there was no order of any Magistrate?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I do not hear the question, Sir."

Mr. C. RAMASOMAYAJULU:—"May I know, Sir, if the release was in accordance with section 63?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Yes, Sir. The Commissioner of Police is a Presidency Magistrate then."

Mr. C. RAMASOMAYAJULU:—"May I take it that it is not the case of an ordinary magistrate releasing them?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Commissioner of Police can release them."

Alleged application for warrant of arrest against certain Andhra leaders.

* 1457-D Q.—Mr. C. OBI REDDI: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that on 17th February 1929 the Police of the City of Madras applied for warrants of arrest against Messrs. Pattabhi Sitharapiah, Suryaprakasa Rao and Annaparniah and whether the same were granted;

(b) under what provision of law the warrants were applied for and granted; and

(c) what was the nature of the incriminating material which the Police had collected against the said gentlemen before they applied for warrants of arrest?

A.—(a) No.

(b) & (c) Do not arise.

UNSTARRED QUESTIONS

Public Health

Progress of the drainage scheme of the Salem Municipality.

1458 Q.—Rao Bahadur S. ELLAPPA CHETTIYAR: Will the hon. the Minister for Public Health be pleased to state—

(a) at what stage the drainage scheme of the Salem Municipality at present is; and

(b) the reason for the delay in the starting of the scheme?

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- A.—(a) & (b) The estimates for the drainage scheme were revised by the Sanitary Engineer and have been scrutinized by the Chief Engineer. Orders sanctioning them will issue shortly. The scheme can be started only after the estimates are approved by the Government.

Municipalities

Construction of the Salem Municipal College buildings.

1459 Q.—Rao Bahadur S. ELLAPPA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the hostel ground in Salem town was selected for the construction of the new building of the Salem Municipal College; and

(b) if so, why the work has not yet been commenced?

- A.—(a) & (b) The Salem Municipal Council originally selected the hostel ground for the construction of the new buildings for the Municipal College; but as it was found unsuitable the Council subsequently agreed to construct the buildings on the foreshore of the Maravaneri tank. The Collector of Salem has been asked to acquire the latter site and the Director of Town-Planning is preparing the requisite plans.

Irrigation

Relation between the Pulichintala and Tungabhadra Schemes.

1460 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state—

(a) whether there is any connection between the proposed construction of a reservoir at Pulichintala (Wadamapalli) and the Tungabhadra scheme in the sense that if one is taken up the other need not or cannot be taken up at all; and

(b) whether both serve the same area?

- A.—(a) The attention of the hon. Member is invited to the report of the Ceded Districts Irrigation Committee printed with G.O. No. 1973 I., dated 16th December 1926, which has been placed on the Editors' Table, and the answers to question No. 601 at the meeting of the 18th October 1927, and question No. 1449 at the meeting of 25th January 1928. It will be seen from these papers that the idea is to construct a diversion dam from Pulichintala and thus irrigate lands in the Guntur district, and also to extend irrigation in the Kistna delta. If this is found feasible, a reservoir at Pulichintala may not be required at all.

- (b) A reservoir at Pulichintala would serve only the Kistna and Guntur districts, while the Tungabhadra-Kistna project, as recommended by the Ceded Districts Irrigation Committee, with a reservoir at Timmalapuram which is now being investigated would, besides irrigating lands in these two districts, serve also the Ceded districts.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III

ACTS ASSENTED TO BY THE GOVERNOR-GENERAL AND THE GOVERNOR.

* The hon. the PRESIDENT :—“ I have to announce that the undermentioned Acts which were passed by the Council received the assent of His Excellency the Governor-General on the dates noted against each :—

- | | |
|--|---------------------|
| (1) The Madras State Aid to Industries (Amendment) Act, 1928. | 27th November 1928. |
| (2) The Indian Fisheries (Madras Amendment) Act, 1927. | 2nd December 1928. |
| (3) The Annamalai University Act, 1929. | 11th December 1928. |

Acts assented to by His Excellency the Governor.

The hon. the PRESIDENT :—“ I have to announce that the Jaina Succession Act, 1928, which was passed by the Council received the assent of His Excellency the Governor on the 14th January 1929.”

IV

ADJOURNMENT MOTION *RE* THE ARREST OF SOME ANDHRA LEADERS.

* Mr. P. C. VENKATAPATI RAJU :—“ Mr. President, Sir, under Standing Order No. 22 I beg leave to move that the business of the Council be adjourned to discuss a definite matter of urgent public importance, to wit, ‘ the unwarranted and illegal arrest, under section 151, Criminal Procedure Code, of some of the Andhra leaders including Desabhakta Konda Venkatappayya Pantulu and Mr. K. V. R. Swami Nayudu, M.L.C., on the 17th February 1929 in the City of Madras.’ ”

* The hon. the PRESIDENT :—“ Before I find whether this motion is in order or not, I wish to know whether the Government have got anything to say with regard to the question of order.”

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The arrest has been made and the people were released and where is the urgency now (laughter in Congress benches)? I believe there has been a ruling in cases like this—I do not know whether it is by you, I speak from memory—that there is no urgency because the action has been done and it is over. In cases like this it cannot be said that there is any urgency.”

* Mr. P. C. VENKATAPATI RAJU :—“ With reference to the object of this motion, the urgency is with regard to the prevention in future of such illegal and unwarranted action by the Police.”

Mr. S. SATYAMURTI :—“ The thing is so obvious that I do not propose to say anything more.”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It is obvious to all of us, Sir.”

* The hon. the PRESIDENT :—“ Here, the motion is regarding the arrest made under section 151 under certain conditions and I think they may take similar action to-day or to-morrow. I think if the Opposition is able to convince the Government that the circumstances do not warrant steps under section 151, they may issue instructions not to take such steps under similar circumstances in future. That is the urgency.”

ADJOURNMENT MOTION *re* THE ARREST OF SOME ANDHRA LEADERS

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The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"In my humble opinion, Sir, no."

* The hon. the PRESIDENT :—"I think the motion is in order. I want to know whether the hon. Member has got the leave of the House. (After a pause.) Since no hon. Member has objected, the hon. Member has the leave of the House. The question is whether it will be for the convenience of the House to take it up either to-day or to-morrow."

(Voices from the Congress benches : 'To-day, Sir.')

* The hon. Sir NORMAN MARJORIBANKS :—"I am advised that the hon. the Finance Member's budget speech will not occupy more than an hour or so and therefore, if the adjournment motion were taken up to-morrow, it will enable us to get on with our work to-day. I do not in any way press the point."

* The hon. the PRESIDENT :—"It depends on the consent of the Government. (After a pause.) It will be taken up to-day at 2-30 p.m."

V

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1928-29.

GRANT XXIII—CIVIL VETERINARY SERVICES—TRANSFERRED.

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Sir, on the recommendation of His Excellency the Governor I move—

'that the Government be granted a further sum not exceeding Rs. 9,700 under Grant XXIII. Civil Veterinary Services—Transferred'

for the purchase of additional sera and vaccine for the Veterinary department. The explanatory note of the Finance Department gives details with regard to the demand. Since sending the note, the Government have received information that there is a further saving of Rs. 12,000. Hence the amount now required is Rs. 9,700 only."

The hon. Dr. P. SUBBARAYAN :—"I second it."

* Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, Sir, before this amount is sanctioned, I think it would be well to know from the hon. Minister what steps have been taken to have this inoculation carried on effectively and on a large scale. I understand that in the districts of Anantapur and in some parts of Bellary also, cattle are suffering from this epidemic. I do not think there is any reasonable chance of this epidemic being successfully combated if only the Deputy Superintendent and a few others are to attend to the work of inoculation. I should like to know what further steps the Government are going to take to successfully combat this disease."

* Mr. J. A. SALDANHA :—"I would like to urge the same point as has been pointed out by my hon. Friend from Bellary. Since a certain amount was sanctioned for serum-simultaneous, I have learnt that rinderpest has been raging wildly in South Kanara district. It has extended even to Mangalore. But I find that serum-simultaneous is not to be found anywhere in the district. When asked, it was stated that they had ordered for it and that it would take some days to come. I do not know how many heads of cattle have died. In Mangalore taluk, there is no separate officer to make use of the serum. I do not know how much money has been spent on this serum-simultaneous and by what agency it has been done. I want to

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know whether this serum has been used properly and has not been wasted in the name of efficacious treatment. I think Government do not give us an adequate idea of what they are going to do or what they have to do. They have not got sufficient number of men for the purpose and I am afraid they may simply be wasting money in a manner which will be most discreditable to the department. I therefore hope that Government will enlighten us more on this point and will take prompt steps to bring home this method to all parts of the Presidency where rinderpest is prevailing to a large extent."

* Mr. R. NAGAN GOWDA :— "Mr. President, Sir, before I give my vote for the amount that has been asked for by the hon. Minister, I would like to make a few remarks. Sir, this year, a very large amount of money amounting to 3½ lakhs has been spent to fight the battle against rinderpest disease in the country. Sir, with a much smaller amount this disease could have been combated effectively if we had in this Presidency a factory for the preparation of the serum and vaccines for rinderpest. It is only a few months ago that a sum of money was granted to the department to buy serum from the Muktesar laboratories. I would like to know whether any efforts have been made during this period to manufacture this much-needed serum in this Presidency. There is another point of considerable interest and it is this : since the disease is spreading very rapidly in the country in spite of all the efforts that have been made, a large number of men ought to be trained to inoculate cattle against rinderpest. Some time ago a suggestion was made on the floor of this House that young cattle ought to be vaccinated against rinderpest, so that later on they may not be attacked by the disease.

"I would request the hon. the Minister for Development to tell us what steps have been taken till now to start an institute for serum. I would like to know whether they have any provision in the budget for the next year at least to start a serum manufacturing institutions in this Presidency." 12 noon.

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Sir, the extra cost involved in adopting the serum simultaneous method nearly exhausted the whole sum granted in the previous meeting of the Council. The cost of the new method is nearly twice the amount involved in the serum alone method. As regards the supplementary grant, there was rinderpest raging in every part of South Arcot, and all the money had to be spent there. As regards Mr. Saldanha's complaint that there were some cases of rinderpest in South Kapara and South Malabar. . ."

Mr. J. A. SALDANHA :—"Many cases."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Yes, there were many cases in those parts. With regard to them, all the money available in the department were utilized by adopting the serum simultaneous method alone. Then, Sir, with regard to the officers, some are being trained and they are also being sent to several parts of the Presidency where this disease prevails."

Mr. J. A. SALDANHA :—"How many?"

* The hon. Mr. M. R. SETURATNAM AYYAR :—"I want notice. As regards Mr. Nagan Gowda's complaint we have called for a report from the Director of Veterinary Services whether the serum could be manufactured in our Presidency and the matter will be carefully considered after the receipt

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of the report. Lastly, I want the House to remember that it is only where the matter is urgent that we come forward with proposals for a demand for a supplementary grant and I request the House to sanction the same."

Dr. B. S. MALLAYYA :—" Sir, I have been listening to the hon. the Minister for Development with closest attention, and it seems to me that Government have no idea of how best to deal with this disease. They forget that this disease is inflicting a heavy drain on the cattle of the poor ryots. They must also remember this fact, namely, till the Government began to take precautionary measures this disease used to be a periodic one, raging once in three or four years in some parts of the Presidency, and for the rest of the period there would be no disease at all. But, ever since Government started Muktesar injection the epidemic has been more or less continuous. We shall see the rate of mortality for the last three years. In the year before last it was 65, last year it was 75 and this year it has begun in a virulent form in the West Coast, Salem and other parts of the Presidency. The hon. the Minister now wants 9,700 rupees more; and I ask him if that money is sufficient to deal with this disease.

" The proper method to deal with this question is to see that this disease is eradicated and not to adopt the present method. They have a kind of dealing with this question in South Africa, the Philipines, in Ceylon; and our own neighbour, Mysore, is doing it very successfully at a much cheaper cost and in a very scientific manner. You have spent three lakhs on a sterile, useless and dead medicine, as one of your own officers called it, I mean the officer at Kangayam. Sir, I have been repeatedly asking you to start manufacture of serum in your own Veterinary College so that the medicine may be more potent and virile, and also that no complaint may be raised that when the serum comes to the hot climate there is no life in it. What is the use of spending money on such a system? Cannot you organize a campaign as you do in vaccinating children. You have to catch cows and inoculate them. You say serum virus method is costly; but I ask, what is the use of adopting a useless method? You can inoculate a number of cattle; and this method has worked successfully in South Africa and Holland. You have already spent three lakhs on dead matter; and in every meeting of the Council there is a fresh demand for further sums. I say there is no use trying the present experiment. You may as well take a bucket of money and empty it in the Bay of Bengal. The method which I propose may be costly for the first-year, but this cost may be balanced by the fact that for the succeeding years you need not spend any money at all. What you then require is only a band of trained men. For this, give your veterinary graduates a week's training and send them to the places where they are wanted. The object of the Government must be to see to the prevention of the recurrence of the epidemic. And for that you must have a scheme; for without a definite scheme there is no use spending money. I therefore request this House to seriously consider whether it will not be better to vote down this demand."

Mr. K. V. R. SWAMI :—" Sir, no obstacles were thrown in the hon. the Minister's way till now with regard to this matter. The House was always willing to grant the required sum whenever a demand was made. What is expected of the hon. the Minister is to see that the money so granted is utilized in an economic manner. It has been said on more than one occasion that the serum should be manufactured here and here only and that it should be manufactured in a better manner and at a cheaper cost so that it may be

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more effective. That has been said more than once and Government have not done anything to investigate into that matter, at least to find out whether this serum can be manufactured here, and if so, what will be the cost. Nor have they given any assurance that they will take up this matter at an early stage. Of course it is very good the hon. Minister has come to his House more than once for this expenditure, as it is very necessary to prevent this epidemic from spreading. I hope he will make arrangements to have this serum manufactured here, get the necessary staff and the necessary things required."

The hon. Mr. M. R. SETURATNAM AYYAR:—"May I offer a word of personal explanation? I fear the hon. Member did not hear me when I said that we have called for a report from the Director of Veterinary Services."

* The hon. the PRESIDENT:—"That does not constitute personal explanation. The question is Government be granted a further sum not exceeding Rs. 9,700 under Grant XXIII—Civil Veterinary Services—Transferred."

The demand was put and carried and the grant made

GRANT XXIX—CIVIL WORKS—GRANTS-IN-AID—TRANSFERRED.

The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, on the recommendation of His Excellency the Governor I move—

'That the Government be granted a further sum not exceeding Rs. 5,750 under Grant XXIX—Civil Works—Grants-in-aid—Transferred.'

"This sum is required for the purpose of repairing the Ghat portions of the Calicut-Vayitiri-Gudalur and Calicut-Gudalur trunk roads. The roads have been closed for traffic as they have been cut up very badly. As the roads are main roads and as the District Board President informed us that the Board cannot find the requisite money the Government have resolved to have the repairs executed by the Public Works Department. The total sum required for the repairs will be about forty-five thousand rupees, of which Rs. 5,750 will be spent before the close of the financial year and the remaining sum will be provided for in the Budget for 1929-30."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

* The hon. the PRESIDENT:—"The question is 'Government be granted a sum not exceeding Rs. 5,750 under Grant XXIX—Civil Works—Grants-in-aid—Transferred.'"

* Mr. R. NAGAN GOWDA:—"Sir, I wish to oppose this motion. Sir, this is a trunk road and annually a grant of five hundred rupees is made for the maintenance of this road. The hon. the Chief Minister said in his explanatory speech that the road is badly cut up. May I know why were not the roads repaired annually? Sir, in objecting to this grant I would like to mention another fact. In another part of the Presidency, namely, the Ceded districts, there are some roads which are very bad. When a motion was brought forward for repairing these roads we got the reply that it would be considered, and it is still awaiting consideration. In my own district there are several second-class roads which require immediate repairs. When this is so, I do not know what induced the Government to undertake repairing this first-class road that gets annually five hundred rupees for its upkeep."

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* Mr. G. HARISARVOTTAMA RAO :—“ Mr. President, Sir, I rise to sound a note of warning.”

Mr. J. A. SALDANHA :—“ Do you oppose the motion ? ”

* Mr. G. HARISARVOTTAMA RAO :—“ A note of warning does not necessarily mean opposition. The hon. the Minister has been very kind to the Malabar District Board. I do not wish to quarrel with him on this subject ; but I am certain that he has not been doing his duty properly with regard to the other parts of the Presidency. He is very anxious to help the Malabar District Board immediately with forty thousand rupees and odd for the simple reason that the ghat road has got out of order. There is a trunk road which has recently got out of order in the Kurnool district connecting the eastern portion of the district with the western portion. No notice seems to have been taken of it ; and if a question is asked in the Council, the answer we get is that the matter did not belong to this portfolio or the other portfolio. No serious notice has ever been taken of even important roads in our districts, even roads connecting districts. For instance, the road I have spoken of is a road connecting the Guntur and the Kurnool districts and it is traversed by pilgrims bound for Srisailem. The hon. the Minister has come forward to-day for the repair of this particular Malabar road with much haste. It may be a very reasonable haste, but all the same, he does not show the same reasonable haste with regard to the other roads that are as important, if not more important. I hope he will show the same sympathy and generosity towards the other roads and give, ere long, sufficient grants to connect the Guntur and Kurnool districts.”

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P.M.

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ It is not my intention, Sir, to oppose this grant. I merely rise to ask for some information from the Government with regard to this grant. I happen to know something about this road. It is constantly getting out of order: the road is not made of granite metal and therefore it is generally unable to stand the very heavy traffic which goes along this road. I do not know what the mileage grant for this road is, whether it is Rs. 500 or Rs. 1,000 per mile. But I would certainly urge, if possible, that the ghat portion should be metalled with granite metal as very heavy traffic is passing on it generally. I find from experience that this road is not able to stand up against the traffic. It is not part of my business to answer objections raised by some of my friends, but I may say for the information of my friend, Mr. Harisarvottama Rao, that I believe that there is a proposal to take over the Mantralamma road and treat it as a trunk road.”

Mr. K. V. R. SWAMI :—“ Mr. President, it is stated here that the matter is very urgent and that the Government therefore proposes to have it done through the Public Works Department and that very speedily, and that the question of contribution would be considered later on. It is not stated whether the District Board is in a position to effect the necessary repairs at its own cost. As has been observed by my hon. friend, Mr. Arogyaswami Mudaliyar, this board seems to be getting the usual contribution of Rs. 500 a mile along with other district boards. Why special facilities are to be given to this board it has not been anywhere stated either in the note or in the speech of the hon. the Minister. In the case of poor district boards, it is the duty of the Government either to lend money or to give grants. It is

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not found that this board is a poor one, and from what I hear just now about the road being exposed to very heavy traffic, I think the district board must have been making a lot of money by way of tolls. It has got all the benefit out of this toll revenue and it is also getting the usual contribution of Rs. 500 a mile, but it does not want to contribute anything at all towards the cost. It is not also stated as to how this question will be dealt with later on. Of course, the hon. Minister can use the powers he has got in matters like this. Even now, if he can assure the House that he would get half the money from the district board, it would be all right. The objection is not for the work being taken up urgently, but that the general revenues are made to bear the whole burden and we are left in darkness with regard to the contribution that would be asked for from the district board."

The demand was put and carried and the grant made.

GRANT XXXIV—AGENCY TRACTS—RESERVED.

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

'that Government be granted a further sum not exceeding Rs. 100 under Grant XXXIV—Agency Tracts—Reserved.'

"This, Sir, is an application for a token grant to obtain the approval of the Council for the reconstruction of the Byneru bridge which was washed away by the floods of last August. This is the working season and we wish to begin the work at once, with the approval of the Council. So I move this grant."

The hon. Mr. T. E. MOIR :—" I second it."

* Mr. K. V. R. SWAMI :—" With regard to this grant, I do not object to it at all. It is a very necessary thing as I know the place itself, but it is not stated what amount is required and in what time the work would be done. It is very necessary that it should be done as speedily as possible because the whole traffic is held up, and it is impossible for the passengers or goods to get through unless this is done very speedily."

* Mr. K. R. KARANT :—" I wish to know, Mr. President, how there can be any demand like a token demand made by Government."

* The hon. the PRESIDENT :—" A rule was made very recently that token motions can be moved. Copies of the rule will be circulated to hon. Members in due course. I understand that the rule was published in the gazette."

* Mr. K. R. KARANT :—" I am not aware of it, Sir."

* Mr. S. SATYAMURTI :—" Mr. President, I do not raise any point of order because, as you have now mentioned to my hon. Friend from South Kanara, Mr. Karant, the Government of India have made a new rule. But I desire to raise the question of principle as to whether the Government will be justified in a case like this—I am saying this not for your ruling, Sir, but as mere remarks to the House—in resorting to this proviso to sub-rule (1) of rule 32 which says: 'Provided that when funds to meet proposed expenditure on a new service can be made available by reappropriation a demand for the

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grant of a token sum may be submitted to the vote of the Council and if the Council assents to the demand, funds may be so made available.' Now, Sir, sub-rule (1) of rule 32 says:

'An estimate shall be presented to the Council for a supplementary or additional grant when

(i) the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year, or

(ii) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated for the budget of that year.'

"According to the note circulated to hon. Members, Mr. President, this is, I take it, a new service not contemplated in the budget of the year. Owing to some unforeseen circumstances, the Government feel called upon to reconstruct the Byneru bridge. But, in the course of the note, it will be seen that the Chief Engineer has now reported that a sum of Rs. 3,000 only is required for the reconstruction of the Byneru bridge during the current year, and that no expenditure is anticipated in the current year on the restoration of the road from Jangareddigudem to Jellagumalli. Now, Sir, if it was a case of the entire financing of the scheme being met by reappropriation from one head to another, I can understand resort being had to this rule. Under Devolution Rule 38 it is the Finance Department that has got the right to order or to sanction such reappropriation. At page 130 of the Council Manual, Devolution Rule 38 (1) says:

'After grants have been voted by the Legislative Council

(a) the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another;

(b) the Member or Minister in charge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability, provided that a copy of any such order sanctioning such a reappropriation shall be communicated to the Finance Department as soon as it is passed.'

"I take it, in this case, it is the Public Works Member or the Irrigation Member who has sanctioned this reappropriation; and I expect it has been communicated to the Finance Department. If that is so, that can come under the review of the Council only under the operation of Rule 34, that is to say, the Public Accounts Committee should report to this Council every case of reappropriation from one grant to another, or reappropriation within a grant which is not made within the rules regulating the functions of the Finance Department. I should like to know from the hon. the Revenue Member and the hon. the Finance Member how this reappropriation is made. Is it a reappropriation from one head to another which the Finance Department has sanctioned or is it a reappropriation from one minor head to another which the Member in charge has made and has been communicated to the Finance Department? In that case, it is perfectly valid for the Government to do so and leave it to the Public Accounts Committee in the first instance and to the Council later to look into the matter.* But the rule provides—the new proviso to sub-rule (1)—as follows: 'Provided that when funds to meet proposed expenditure on a new service can be made available by reappropriation,' etc. Admittedly this Rs. 3,000 cannot be sufficient for even a part of the work; for earlier in the note it is stated that the works are estimated to cost Rs. 60,000. I have no information in the note as to what exactly these two works would cost relatively, how much the road will cost, and how much the bridge will cost. I should be surprised to know if Rs. 3,000 would be enough for this year. So, the position is this: they want some money,

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roughly Rs. 30,000, for a bridge. They propose to carry on some portion of the work during the year. For that, they want Rs. 3,000. They say they will get Rs. 2,900 by reappropriation and they come to the Council for Rs. 100. It seems to me that the spirit of the rule of the Government of India can only mean this, that where the Government can itself act under the existing rules by reappropriation it is as well that the Government may get the approval of the Council by means of a token demand; but where, as in this case, the whole expenditure is not going to be met by reappropriation, but only a part of it, it seems to me not to be acting exactly in consonance with the spirit of the rule to put forward a token demand. As it is a new rule, and as we must be very careful that the rule is not put to uses for which it is not intended, I should like to know if the hon. the Finance Member or the hon. the Revenue Member would throw some light on this aspect of the question. I have nothing to say against the merits of the demand as it stands."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, the amount wanted for the current year is Rs. 3,000 to begin this bridge. That can be found by reappropriation, but the bridge is a new item which the Council has not sanctioned. Therefore to give the Council an opportunity of sanctioning it, this token motion is put forward. If the Council approves this demand, this Rs. 3,000 will be spent this year, and it will then become a work in progress, and will appear in the budget for the next year."

"As regards the exact total of the estimate, I have not got information at present. If we lose this season, this time of the year, it means postponing the whole work by another year."

The demand was put and carried and the grant made.

VI

BILL FURTHER TO AMEND THE MADRAS CIVIL COURTS ACT, 1873.

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I move, Sir, that the Bill further to amend the Madras Civil Courts Act, 1873, be referred to a Select Committee composed of the following Members:—

1. M.R. Ry. P. T. Rajan Avargal.
2. Rao Bahadur B. Muniswami Nayudu Garu.
3. M.R. Ry. K. P. Raman Menon Avargal.
4. " T. C. Srinivasa Ayyangar Avargal.
5. " P. C. Venkatapati Raju Garu.
6. " C. V. Venkataramana Ayyangar Avargal.
7. Mr. C. E. Wood.
8. Mahmud Schamnad Sahib Bahadur.
9. M.R. Ry. Alladi Krishnaswami Ayyar Avargal.
10. The hon. Diwan Bahadur M. Krishnan Nayar (Mover).

"With your permission, I would substitute the name of Rao Bahadur B. Muniswami Nayudu Garu in place of Rao Bahadur Sir A. P. Patro because Sir Patro does not want to serve on this committee. On the merits of the Bill, which is a thoroughly non-controversial measure, I do not think it is necessary to say anything at all."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The motion was put and carried.

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12-30 P.m. * The hon. the PRESIDENT :—" In order to appoint the Chairman of the Committee I wish to know whether the Government want to have the Bill considered in this session."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not very particular, Sir. I will leave it to you. I am not in a dreadful hurry about it."

* The hon. the PRESIDENT :—" I do not find Mr. T. C. Srinivasa Ayyangar, one of the panel of chairmen, here and, if the Government want to have the Committee on the 27th, then I have to appoint another gentleman to the Committee."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not in a hurry. If you want to communicate to him you may do so. Otherwise you may be pleased to appoint any other person who is willing to serve on the Committee."

* The hon. the PRESIDENT :—" Mr. T. C. Srinivasa Ayyangar is appointed as Chairman of the Committee."

Mr. G. HARISARVOTAMA RAO :—" There is a paper handed in, Sir, suggesting a further amendment."

* The hon. the PRESIDENT :—" The amendment was not allowed."

VII

THE MIRZAPURAM AND PEDAGONNUR IMPARTIBLE ESTATES BILL.

The discussion^a of Mr. B. Ramachandra Reddi's Bill to declare the Mirzapuram and Pedagonnur estates as impartible was then resumed. Sriman Biswanath Das Mahasayo continued his speech.

* Sriman Biswanath Das Mahasayo :—" Mr. President, Sir, last time in the course of my speech I quoted from the Permanent Settlements Regulation of 1802 and Sannad Isthimirars to show that permanently settled estates were given not only to the then holders but also to their heirs, successors and assignees. I also quoted from the proceedings of 1903 of the Legislative Council wherein these very estates of Mirzapuram and Pedagonnur were proposed to be included in the schedule to the Impartible Estates Bill. A full-dress debate took place on it, votes were taken and the result was that they were kept off from the operation of the Act. Having said that, I now proceed to state the position of the Government as stated by the hon. the Leader of the House in his speech opposing the Kirlampudi Estate being taken under the Impartible Estates. I refer to the speech at page 319 on 31st August 1926 wherein the hon. the Revenue Member has stated that the objections of the Government of Madras regarding these estates for their inclusion in the schedule of the Impartible Estates are two :—

- (1) That ancient zamindaris and estates of like nature which have descended impartible continuously from 1802, i.e., from the date of the Permanent Settlement Regulation and of which no partition since that date could be proved, are impartible; and
- (2) that the powers of the estate for the time being should be those of the managing member of a Hindu family governed by the ordinary law of succession.

"Sir, judged by these two canons that were enunciated by the hon. Gentleman I think these estates fail and miserably fail because in the very

^a Please see page 635 of the Proceedings of the Legislative Council, dated 1st February, 1929.

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statement of objects and reasons the hon. the Mover has stated that these estates were made partible by the decisions of the Privy Council in I.L.R. 2 of 1926 and the proposal now is to ride roughshod over the decisions of the law courts and to undo practically what the civil courts have done. Proceeding further the hon. the Leader of the House has stated, . . .”

* The hon. the PRESIDENT:—“The hon. Member will not be justified in detaining the House too long.”

Sriman BISWANATH DAS Mahasayo:—“No, Sir, I am only looking into the quotation. That is the main reason why we and the Government cannot support this Bill. At the same time the proposal is open to many objections. ‘For example, if this Bill is passed anybody else can come forward with similar Bills.’ Sir, this prophecy has been justified. Now, shortly after passing the Kirlampudi Estate into an Impartible Estate another estate was added to the list and now we have got two Bills proposing four more estates to be added. I believe if the Council allows such things to go on there will be no end. There are many estates with better claims and if two estates are allowed to come in, why should not the claims of others be considered. Such piece-meal legislation is highly objectionable. If there is a desire to create Impartible Estates, let there be a commission to go round the country and ascertain facts and let us have an all-embracing Act. So, I think it is time that we should declare in emphatic terms against these piece-meal legislations at the desire of any hon. Member. No one knows why and how these things are coming in. Why we should be allotting our time always giving preference to these subjects. Sir, I submit that in this Bill a departure has been made from the main principles of the Impartible Estates Act of 1903. In that Act the principle that was followed was that estates were added which were never partitioned, secondly parts of villages were not included and thirdly inam and mokhasa villages were taken away from the purview of the Act. In the present Bill all these have been violated. So a distinct departure has been made by the hon. the Mover and no justification has been made for taking this new course of action. Just I will take the hon. Members to the schedules given at page 2 of the Bill.”

* The hon. the PRESIDENT:—“I am afraid the hon. Member is repeating that portion of his argument. He already referred on the last occasion to the schedule.”

Sriman BISWANATH DAS Mahasayo:—“I submit that I have no intention to disobey the Chair. I had stated the general principles and am now only going into details.”

* The hon. the PRESIDENT:—“The schedule was referred to on the last occasion.”

Sriman BISWANATH DAS Mahasayo:—“Yes, I did refer and now hon. Members will see that 21 aghaharams and mokhasa villages are now proposed to be included in the schedule. Certain shares in these villages are proposed to be brought under the schedule. We are at a loss to know the interests and the extent the proprietor in question has in these estates or in portions of these estates. Then, Sir, such a Bill as this brings a limitation on the rights of the ryots of the villages. That is, it limits the power of the zamindar to grant any inam to any people within or outside the estates and secondly the reclamations of waste lands on easy terms of

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assessment. I do not think that the proprietor or the holder of the Impartible Estate will ever be able to give on patta waste or poramboke lands on easy terms of assessment for a number of years unless it is only till the life-time of the holder. Thirdly, Sir, there are in every zamindari hetta or home-farm lands. These lands are governed by sections 84, 85, etc., of the Estates Land Act. Once these are declared impartible the Zamindar cannot convert them into patta lands, and it is common knowledge that no Zamindar makes use of these lands through his own men or his own ploughs. If there are any, as the Komaraga Muttahers it is only an exception. I know the Raja of Parlakimedi has his own farm and I will be glad if the landed aristocracy take to agriculture. What the landlords do is that they transfer all the home-farm lands into patta lands on payment of some money. Once these estates are declared impartible, the Zamindar is deprived of his rights to convert these into ryoti lands and the ryot will go on as merely a tenant at will. So I now appeal to the hon. Members of this House that after sitting eight years you have done nothing to relieve the zamindari ryot. I think you will be doing a grave injustice, if you go on adding to his difficulties. That being the position, I implore hon. Members to think ten times before they give their final approval to the Bill. For such a Bill as this, it is necessary that it should be referred to a Select Committee for more reasons than one. In the first place we do not know as I have already stated the extent of the interest that the Zamindar has in these villages or parts of these villages and we have not had occasion to know what objections the tenants concerned or the inamdars in these inam or mokhasa villages who have got part interests in these villages have to offer against the inclusion of these in the schedule to the Impartible Estates Bill. Knowing nothing about this and not being enlightened as to the possible objections in the inams or aghraharam villages we will be doing a grave injustice to the concerned people if we all at once pass this Bill into law. And then, Sir, there is the question, a vexed question, of the junior members of the family of an Impartible Zamindar. It is a matter of regret that the Legislature has not been able to do anything, though promises were forthcoming from the bench, now adorned by my hon. friends belonging to the justice persuasion, that they will come forward with a Bill of a similar nature to provide for the maintenance of the junior Zamindars. Two and a half years have already passed since we have given our approval to the Kirlampudi Bill. No stalwart of the Justice party has come forward to give the necessary relief. Now I see the de facto leader of the party coming forward with a Bill and practically with the assent of the Government behind him, if and when necessary, either directly or indirectly. This being the position, it is the clear duty of this Council to refer the Bill to a Select Committee to examine the various provisions, the rights and interests of the parties concerned, the possible objections that may be presented by the ryots or the inamdars or the part-owners. Under these circumstances I propose that the Bill in question be referred to the Select Committee and that the whole question be gone through carefully."

12.45 p.m. * Mr. K. R. KARANT :—" I beg to second this motion, Sir. It seems to me that there is some unholy alliance, so far as this Bill is concerned, between the transferred half and the reserved half of Government and a certain section of this House. They have given preference to this Bill over many other Bills some of which were even Government Bills. Last

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time I noticed an anxiety to rush this Bill through all in the course of a day, but thanks to the efforts of my hon. Friend from Ganjam, we have had one more day for this Bill. I am yet to learn from my hon. Friend the Mover or any Member of this House as to what is the urgency or what is the important principle that is involved in this Bill. It has been argued on the other side first of all that the question of this very estate was considered when the Estates Land Act was passed. Again, the highest authority of the law courts in the land, namely, the Privy Council, has also stated that this should not be an impartible estate. And more than all, though I am not much conversant with estates in this part of the country, I feel that so far as we are concerned we cannot give our sign of approval to making more and more estates impartible. I think the more partible the estates are, and more persons get these estates and there is less of landed aristocracy in the land, the better for all of us, and especially the masses in the Province; and as one advocating this view I cannot give my assent to this Bill. I cannot understand why the Government instead of taking a neutral attitude in the matter, are helping the measure, though they seemed to have opposed it at the time the main Act was passed. More than all, I am not for any Bill of this type being rushed through at one sitting of the Council, unless it be a case of very grave emergency legislation. It is not so. So far as I know, no such measure like this was passed in the course of one sitting. So I am very much for a Select Committee sitting over this Bill and hearing all parties interested in the Bill—the tenants and the other estate holders who are interested in the estates—and also considering whether portions of villages or whole villages should go into the measure. All these aspects should be considered by the Select Committee; I very much therefore support this motion."

* The hon. the PRESIDENT:—"The question is that the Bill be referred to a Select Committee."

* Mr. B. RAMACHANDRA REDDI:—"If I begin, Sir, to reply to the remarks of my hon. Friend who moved this motion, it is to point out that he has gone beyond the limits of relevancy. There are certain observations in his speech that require answering. He has pointed out in an elaborate speech the other day, and he has actually repeated the same to-day, that the very principle underlying this Bill is objectionable. But when the Bill was introduced first, when leave was asked for, it had been unanimously agreed to, and the next stage was either to send it to the Select Committee or not to send it. This Bill is not a very elaborate measure; it has only a few sections and at any single sitting the House can go through them. While making out a case for sending this Bill to the Select Committee, he has pointed out that the very principle is bad. There I object to the stand that he has taken. He has pointed out also that there is a Privy Council decision already making the estate partible. I do not think that there is anything to debar us now from making legislation to the effect that it should be made impartible."

"In answer to the several objections he raised regarding the very principle underlying this Bill, I cannot do better than quoting from the speech of His Excellency Baron Amptill in the Council of 1904. He said—

'In the absence of an aristocracy of wealth, the zamindars are the only existing aristocracy and they are, what is highly important in a non-democratic country, the aristocracy of birth. Their influence, if they chose to exert it, would be social and agricultural, both of which

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are of the first importance in an agricultural country. There seemed to be every reason to believe that the people desired the continuance of the zamindars in dignity and influence rather than their disappearance. But the very existence of these zamindars was menaced. As the Landholders' Association pointed out, the rapid increase of partition suits was undermining the prestige and influence of the zamindars. The partition of property meant the diminution of property, the diminution of property meant the diminution of income, and the diminution of income deprived the landlord of the power of benefiting his tenants. The substitution of a number of small proprietors for the big landlord meant hardship to the people; for the smaller a proprietor becomes, the more he presses on his tenants. It meant also the demoralization of the ancient families; for so long as the younger sons could claim to divide off a share of the paternal acres and live on it at ease, they had no stimulus to go into the world, develop their wits, adopt a profession and strike out a line of their own. These are the evils which we are now seeking to prevent."

"These remarks which His Excellency, the then President of the Council, made in winding up the debate on the Impartible Estates Act, very clearly explain the position, and I commend them to the consideration of this Council. It is not at all to restrict the privileges and rights of certain zamindar tenants, not at all to deprive the means of livelihood of some of the junior zamindars; it is only to safeguard the interests of an estate which would otherwise go to pieces and would be of no benefit to anybody. In 1904, when they passed that Act, they included 134 estates as impartible; at the same time they did not put any ban upon the further inclusion of estates into that list. Accordingly this Council has passed several impartible estates bills and they have been added on to them.

"Attention has been drawn to the inclusion of shrotriyams under this Estate. If the shrotriyams are included there, it is only the kattubadi income that accrues from these shrotriya villages that is sought to be added on to that of the estates and not anything else. Further, objection has been raised to the inclusion of part villages into the whole estate. That is not uncommon in the existing impartible estates also. I know in certain impartible estates, portions of villages have been purchased and they are kept on as impartible estates. I therefore find no objection for including parts of villages into the list of villages under this Impartible Estates Bill. Having said so much, I do not think it is quite necessary for me to go on answering the several points raised by the hon. Members attacking the very principle of the Bill itself. The principle has been accepted by this Council already, and I do not think it is quite necessary to review the whole matter once again.

"My hon. Friend Mr. Karant pointed out that this is an unholy alliance between the Government and this portion of the House. I am only sorry that an alliance, whether holy or unholy, could not be formed with my Swarajist friends—though it appeared at one meeting they were going to support the Bill, all on a sudden they seem to have changed their mind. What unholy alliance or holy alliance they contemplated with us, it is not my purpose to reveal. Anyhow I am content to request all Swarajist Members to tackle this question purely on non-party lines, only pointing out the urgency for a measure of this character.

"It has been said that there is no urgency for this legislation and that the Bill may wait for some time to come. No attempt has been made till now to rush through this Council this Bill. It has been before the House and the country since the middle of 1928, and I think this period of eight months or so is more than sufficient to explain either to the Council or the country the objects and reasons of such a Bill as this. It has been pointed out by me already that ample provision has been made to secure the

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interests of the other sons of the zamindar, and so the mover and supporters of the motion to send the Bill to the Select Committee need not be scared away on that score. At the same time I may point out that the father of the sons better knows how to take care of his own sons than those that pose to protect them. In these circumstances, Sir, I do not think it is at all necessary to send the Bill to the Select Committee and try to waste some more valuable time of this Council by unnecessary discussion over this question. The question is very simple and plain and does not require any further discussion. With these remarks I hope that the House will reject this motion."

Mr. L. K. TULASIRAM :—" Mr. President, Sir, I had no intention of taking part in this debate. But I now see an attempt to smuggle this Bill through the corridors of the Legislative Council and that is why I wish to speak a few words. The reason put forward for thus rushing with the Bill is that it is a very small Bill. Small things are not always trifling things. The tail-end of the scorpion is a very small thing and yet a sting by the scorpion with that small thing is very dangerous. Therefore I say that although the Bill is a small one, we ought to be very cautious in dealing with it. We should see that this Bill is thoroughly examined by this House. 1 p.m.

" My hon. Friend, Mr. Ramachandra Reddi, took objection to the words ' unholy alliance ' used by a member on this side of the House. I am going to prove that there is justification for that remark. The question of zamindari estates was dealt with in 2 Madras, about half a century ago. We are now in 52 Madras. The time when the Nuzvid zamindari was declared to be partible was exactly half a century ago. And all these 50 years no attempt has been made to make these two estates (Mirzapuram and Pedagonnur) impartible. Sir, if these estates are to be made impartible a lot of adjustment of the rights and privileges of the members of the family has to be made.

" My friend from Nellore was saying that when we allow the estates to be partitioned, the landed magnates lose their dignity, position and all that. I agree that it is necessary that their status and dignity and all that are upheld. I feel for them, but at the same time, when they come before this House and say that certain estates should be declared impartible, they must place all their cards on the table. They must not be afraid of coming to the limelight and wish to appear in purdah like gosha ladies and pass through the corridor.

" Now, Sir, what is the motion that has been moved by my hon. Friend Mr. Biswanath Das? It is that the Bill may be referred to a select committee so that it may undergo the post mortem examination by it and then come up to the House for third reading if it stands the test. That is all his proposition.

" No doubt, Sir, the father or the head of the estate can well take care of his sons. But, it is not a question of private arrangement between father and sons. It requires the imprimatur of the Madras Legislative Council before it receives the assent. When a Bill of that kind is brought before the Council asking for certain privileges, there should be no fear of standing in the limelight. It must stand certain tests. When I see that there is reluctance to refer this Bill to the select committee I naturally feel that things are not above board. Moreover, last time an attempt was made to rush through

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the Bill before 5 o'clock and had it not been for the great care which you, Sir, exercised as the custodian of the rights of the House, the matter would have ended that day.

"For all these reasons and for the additional reason that no attempt has been made for half a century to reverse the decision of the Privy Council which declared the zamindari estates to be partible, I appeal to hon. Members on all sides of the House to vote for the motion to refer it to a select committee. Sir, when you declare an estate to be impartible it would affect the share of the minor zamindars and there will sometimes be chaos and also trouble. To avoid all this I appeal to my hon. Friend to be liberal and not to fight shy of sending it to a select committee. After all, the select committee is not going to kill the measure. It will only examine it in detail. I therefore appeal to hon. Members to refer this to the post mortem of the select committee and see if it stands the test."

* Mr. J. A. SALDANHA :—"Sir, I shall make only a few remarks. We are now trying every means possible to make things safe for democracy. (Mr. K. R. Karant : Hear, hear) But there are dangers also of democracy itself being made unsafe by certain measures. Here is an instance in point. This is a Bill which at first sight appeared to be very simple and we agreed to support it. Now we see that there is a danger of the Bill being passed through this House without mature deliberation. Sir, the very fact that there is opposition to refer it to a select committee has aroused suspicion. I think it is necessary that this Bill should go to the select committee so that we can see what safeguards are necessary and should be provided in the interests of a certain class of people. Therefore I strongly support the motion for referring it to a select committee."

* Mr. R. SRINIVASA AYYANGAR :—"Sir, it is rather difficult to understand why so much heat should be exhibited over this small and simple matter. It has been allowed to remain quiescent for over 50 years and why there should be so much impatience on the part of some hon. Members not to allow five months more for this Bill to come up before the House, I am unable to understand. Unless some friends have considerable distrust of the select committee and unless they think that the Bill is so bad as to be thrown out *in limine* by the select committee, there is no justification to avoid the select committee."

"My hon. Friend Mr. Tulasiram compared the select committee to a post mortem apparatus or a body that carries on the post mortem examination. I do not agree with him for this reason. Post mortem is always held over dead bodies. But in the case of Bills, though the committee may eventually strangle them, the Bills taken before them are supposed to be living ones capable of undergoing operation at the hands of the committee. So, Sir, the select committee is a sort of curative body which tries to save things from starvation if that were possible in the circumstances. It will if possible make the Bill more acceptable by giving it a better form and purge it of its violent provisions. Sir, I submit that no reason has been assigned and no case has been made out for withholding the Bill from the select committee."

* The hon. The PRESIDENT :—"I take it that the House is ready for a vote."

Sriman BISWANATH DAS Mahasayo :—"Sir, may I . . ."

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* The hon. the PRESIDENT:—"The hon. Member's motion is only an amendment and therefore he cannot have a second reply."

Sriman BISWANATH DAS Mahasayo:—"Is there no reply from Government?"

The motion was put and declared lost.

Mr. G. Harisarvottma Rao demanded a poll and the House divided thus:

Ayes..

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|-----------------------------------|------------------------------------|
| 1. Mr. P. C. Venkatapati Raju. | 13. Mr. C. Obi Reddi. |
| 2. " R. Srinivasa Ayyangar. | 14. " A. Parasurama Rao Pantulu. |
| 3. " S. Satyamurti. | 15. " C. Ramasomayajulu. |
| 4. " J. A. Saldanha. | 16. " T. A. Inarayana Chettiyar. |
| 5. " G. Harisarvottama Rao. | 17. Sriman Biswanath Das Mahasayo. |
| 6. " C. S. Govindaraja Mudaliyar. | 18. Mr. K. Uppi Sahib. |
| 7. " Abdul Hameed Khan Sahib. | 19. " M. Narayana Rao. |
| 8. " K. V. R. Swami. | 20. " C. N. Nuthuranga Mudaliyar. |
| 9. " D. Narayana Raju. | 21. " C. Marudavanam Pillai. |
| 10. " K. R. Karant. | 22. " K. V. Krishnaswami Nayakar. |
| 11. " K. Madhavan Nair. | 23. " C. Venkatarangam Nayudu. |
| 12. " P. Anjaneyulu. | 24. " L. K. Tulasiram. |

Noes.

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| 1. The hon. Mr. M. R. Seturatnam Ayyar. | 25. Mr. S. Venkiah. |
| 2. " Mr. S. Muthiah Mudaliyar. | 26. Rao Sahib K. Srinivasan. |
| 3. " Dr. P. Subbarayan. | 27. " F. E. James. |
| 4. Mr. Hilton Brown. | 28. " R. J. C. Robertson. |
| 5. " H. A. Watson. | 29. Rajkumar S. N. Dorai Raja. |
| 6. " C. A. Souter. | 30. Zamindar of Kallikot. |
| 7. " S. H. Slater. | 31. Mr. U. Ramaswami Ayyar. |
| 8. " A. McG. C. Tampoe. | 32. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 9. " C. W. E. Cotton. | 33. Zamindar of Gollapalli. |
| 10. " V. Ch. John. | 34. Mr. B. Ramachandra Reddi. |
| 11. " M. A. Manikkavelu Nayakar. | 35. Rao Bahadur Sir A. P. Patro. |
| 12. Tajudin Sahib Bahadur, Syed. | 36. Diwan Bahadur P. C. Eithirajulu Nayudu. |
| 13. Mr. A. B. Shetty. | 37. Mr. P. T. Rajan. |
| 14. " J. Bheemayya. | 38. " T. K. Chidamberanatha Mudaliyar. |
| 15. " P. J. Gnanavaram Pillai. | 39. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 16. Zamindar of Singampatti. | 40. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 17. Subadar-Major S. A. Nanjappah Bahadur. | 41. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 18. Mr. Al. Ar. Narayanan Chettiyar. | 42. Rao Bahadur K. Sitarama Reddiyar. |
| 19. " K. Krishnan. | 43. The Zamindar of Mirzapuram. |
| 20. " N. Siva Raj. | 44. Kumararaja of Venkatagiri. |
| 21. " V. I. Muniswami Pillai. | 45. Mr. A. V. Bhanoji Rao. |
| 22. " W. P. A. Soundarapandia Nadar. | |
| 23. " S. Subramania Moopanar. | |
| 24. " S. V. Vanavudaya Goundar. | |

Neutral.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 5. Dr. (Mrs.) Muthulakshmi Reddi. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 6. Mr. A. Ranganatha Mudaliyar. |
| 3. " Mr. T. E. Moir. | 7. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 8. Mr. C. R. Parthasarathi Ayyangar. |
| | 9. Mr. Alladi Krishnaswami Ayyar. |

Ayes 24.

Noes 45.

Neutral 9.

The motion was lost.

* Sriman BISWANATH DAS Mahasayo:—"I beg to move that the consideration of this Bill be adjourned to a date three months hence. The reasons are these. I am sorry that this motion has not commanded the

[Sriman Biswanath Das Mahasayo] [25th. February 1929]

support that it deserves from the hon. Members sitting below the gangway who ought to have supported it. It is a pity that they claim that they are the true representatives of the people and yet they throw off the interests of the people in the zamindaris into the waste-paper basket. Sir, when my hon. Friend remarked that there has been a secret alliance between certain sections of this House. . . ."

* The hon. the PRESIDENT:—"He cannot comment upon the previous statements made by hon. Members of this House."

* Sriman BISWANATH DAS Mahasayo:—"All right, Sir. I expected a statement from the hon. the Leader of the House giving out the views of the Government to-day in this matter, but I am sorry to say—I must confess—I was hopelessly disappointed at their attitude."

* The hon. the PRESIDENT:—"I am sorry I must ask the hon. Member to confine his remarks to the reasons for the adjournment."

* Sriman BISWANATH DAS Mahasayo:—"Sir, that is one of the reasons why I ask for adjournment. Sir, in a Bill of this nature where new principles are proposed to be added under the Impartible Estates Act, and new interests are proposed to be created, I believe the Government ought to have made certain enquiries and ought to have made certain statements in support or opposition to the measure that is under consideration. Excepting four hon. Members on the Treasury Benches who remained neutral over this measure, practically all the official and nominated Members have voted for the Bill as if all the necessary preliminaries that have to be gone through have been complied with. In the first place, excepting the mere statement from the hon. the Mover of the Bill that the proprietor concerned has agreed to make this estate impartible, there is nothing else to show that the proprietor has agreed. We are not informed whether the proprietor has satisfied the Government on the many issues involved in this question. Nothing has been placed on the table of the House to show that the zamindar has agreed and the ryots and inamdars were informed. Then, Sir, certain statements have been made in the Statement of Objects and Reasons that a portion of the estate is set apart for the junior members."

The hon. the PRESIDENT:—"I am not able to find how these remarks are relevant to the present discussion."

Sriman BISWANATH DAS Mahasayo:—"Is that your ruling, Sir?"

* The hon. the PRESIDENT:—"Yes."

Sriman BISWANATH DAS Mahasayo:—"All that I have said up to now?"

The hon. the PRESIDENT:—"Yes."

Sriman BISWANATH DAS Mahasayo:—"That being so, I propose that the consideration of this measure may be postponed to a date three months hence so as to enable the House to get the necessary information on the subject and also for the Government to make the necessary enquiries into the various questions alleged in my speech. With these remarks I move that the consideration of this Bill be postponed to a date three months hence."

* Mr. J. A. SALDANHA:—"I beg to second this motion very warmly. This Bill is a move against democratic ideas and we see in which direction democracy moves in certain sections of this House. This Bill should be

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[Mr. J. A. Saldanha]

before the country for a long time and we should know exactly what limitations are imposed by this Bill. I never expected that a certain section of this House which is boasting itself as the most nationalist party in this House standing for equal treatment to all would be so anti-nationalist, and another section would kill justice while calling themselves 'Justicites.' Why should not we wait patiently for three months so that we may see what limitations and conditions this Bill should be subjected to? Three months, I think, will give us sufficient time for considering this Bill carefully. This Bill will be a precedent for many other Bills. It is very easy for certain people who want to seek their own selfish ends to say that this Bill is a small matter and does not affect the interests of the people in any way. We do not know what difficulties poor people and the tenants in the zamindari villages will be subjected to by the passing of such a measure as this: also what will future scions of the minors have to say. Therefore one would require time to consider the different issues involved in this legislation and I should therefore urge that we should wait for some time before passing this Bill."

* Mr. K. MADHAVAN NAYAR :—" In supporting this motion, I say that it is essential that the Bill should be before the country for some time so that not only the country but the four hon. Members of Government in whose hands the responsibility of conducting the administration of this Presidency is vested, and who have remained neutral neither voting for nor against the measure, may know whether it would be advantageous or disadvantageous to the people if this measure were to be passed. The very fact that they have not made up their minds either for or against the measure—probably because they have not got the necessary materials before them—is a conclusive argument for postponing the consideration of this Bill for some time. I therefore strongly support the adjournment motion."

* The hon. Sir NORMAN MARJORIBANKS :—" It was explained on a previous occasion, when a Bill of this nature was brought, what the attitude of the Government was and it remains the same. I do not wish at this hour to detain the House too long. Government on that occasion pointed out the disadvantages of a measure of this nature, but the House decided to the contrary effect. The Government then decided that they should remain neutral in the matter of Bills of this nature, leaving it to official members to vote as they pleased. The Government have not changed their attitude in any way and they have given effect to it to-day."

" As regards the proposal to adjourn this measure, I do not see how this Bill differs in any way from the Bills that have been accepted by this Council."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—" I did not want to participate in a debate on this motion, but it appears to me that there are certain matters which cannot but bear discussion. There is no doubt that the Bill is sought to be rushed through this House, and that is a very conclusive reason why the consideration of this Bill should be postponed, so that people whose interests may be adversely affected—I mean the zamindari ryots—may have enough of opportunity to put forth their view-points, so that the Council may be in a better position to come to a conclusion and so that the interests of the ryots may be better protected. After all, I fail to see any reason as to why so much haste should actuate the mover and his supporters in passing this Bill. The period of adjournment that is now asked for is only a very short period and it seems to be absolutely necessary so that the

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distant parts in that zamindari may be able to make themselves heard and effectively heard, so that every Member of this hon. House may be put in possession of information, detailed and otherwise, and so that they may examine the suggestion in the light of facts which the people may put before them. No case has been made out by the mover of this Bill to the position that the Bill be taken into consideration and immediately passed into law. I do not suppose that if the Bill is not passed at once any jeopardy will overtake the zamindari. On the other hand enough has been put forward from this section of the House that no case has been made out for the purpose of overriding the decision of courts regarding these estates. These considerations do go a great way in making an appeal to hon. Members of this House that the consideration of this Bill should be adjourned for a period enough to enable all the interests to come forward and put forth their view-points. The views put forward by my hon. Friend Mr. Biswanath Das who is more cognizant"

The hon. the PRESIDENT :—" I do not think the hon. Member is justified in reflecting upon the contentions and replies made by other hon. Members."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" Moreover the hon. the Revenue Member has not thrown any further light upon the subject except stating that the position of the Treasury Bench was one of neutrality. But we find that the whole official block excepting the Executive Councillors have all voted for the Bill, so that our object that the Bill be examined properly in the select committee at least has been defeated. So it behoves Members of this hon. House to give effect to this democratic view that has been put forward especially when the Bill affects a large body of ryots. It is essential that their interests are examined closely and the adjustment between them and the landlords is dealt with in the most equitable manner possible. For all these reasons I submit that the consideration of this Bill be adjourned. There will be time enough for this Council to take up this matter at the next session, i.e. August session. The reason that is urged for passing this Bill is that it is so short and so sweet, viz., that it is a very small measure and that it will not take more than a few minutes. That is the very same cogent reason why I urge that this Bill should be postponed to the next session so that it may be dealt with in a satisfactory manner."

At this stage the House adjourned for lunch.

After Lunch (2-30 p.m.)

IV—cont.

ADJOURNMENT MOTION *Re* THE ARREST OF SOME ANDHRA LEADERS.—cont.

* Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, I move that the business of the Council be adjourned to discuss a definite matter of urgent public importance, to wit, the unwarranted and illegal arrest, under section 151, Criminal Procedure Code, of some of the Andhra leaders including Konda Venkatappayya Pantulu and Mr. K. V. R. Swami Nayudu, M.L.C., on the 17th February 1929, in the City of Madras.

"In addition to the saying that the King can do no wrong, it has come to pass that the Police can do no wrong. The Police have misused the law of the country by putting some necessary provisions of the Indian Penal Code and the Criminal Procedure Code to such misuse that any civilized Government would be ashamed of having such laws on the statute book. The Police in this instance have arrested respectable, honest and sincere leaders

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of the Andhradesa. For what? For designing to commit some cognizable offences. People who have a definite policy, who gave a definite undertaking and who belong to the great political body in the country, viz., the Indian National Congress which is committed to non-violence, were pitched upon by the Police as persons designing to commit some cognizable offences. Even the Police could not think of any offence either cognizable or non-cognizable just at that moment, but they said that those persons intended to disturb the public peace. Even the Police had no idea—it seems to me—of the offences which these mischievous persons will commit and which will lead to a breach of peace. The Police officer who arrested these men is a mere Sub-Inspector of Police. He was of opinion that these venerable and peaceful leaders of the type of Mr. Konda Venkatappayya and our colleague Mr. Swami Nayudu who are, from the beginning of their lives, opposed to any violence and who are the staunch followers of that great body, the Congress, would use violence. It is unthinkable. From the answers given to-day it is clear that the Government were not in possession of the nature of the crimes intended to be perpetrated by these leaders. I am not a legal man; I do not know whether the offence is cognizable or not. The Police Officer who arrested illegally peaceful leaders of the Andhradesa was himself committing a great offence and he would have easily come under the provisions of the section. He was designing to commit the offence of arresting peaceful leaders. These leaders came to this place with a purpose; they had announced their intention of organizing a peaceful hartal on the 18th February, the day of arrival of the Simon Commission. It would have been better if the Police had declared that preaching for hartal was illegal. The only justification or motive that might have guided the Police was they found themselves impotent to curb the enthusiasm and earnestness of the people who observed complete hartal and boycott on that day. They found it impossible to present, in any way, a welcome to the Simon Commission and in their impotency they thought of arresting some of these leaders who were really responsible not for committing any crime but for observing complete and peaceful hartal in the City of Madras. But for the answer given by the Government this morning, it would have been up to the Police officer to say that these gentlemen were not arrested. As I understand it, if arrest is made under section 151, the arrested person can be released only under certain conditions. So far as I can see, none of these conditions were fulfilled. It was given out at that time that really no arrests were made. To add insult to injury, it was stated that these venerable leaders, Mr. Konda Venkatappayya and Mr. Swami Nayudu, gave some assurance. I am authorized by one of these gentlemen to say that they gave no assurance of any sort; they refused to do so. It would have been another matter if they said when questioned they did not intend to disturb public peace. It was never their intention. The Police used the provisions of the Act which say that any person can be arrested without warrant. The latter portion of the section says 'if the committing of these offences cannot be prevented otherwise.' It is up to the Government even now to say the nature of the offences that were contemplated or designed to be committed by these gentlemen and how it was impossible to the all-powerful Police to prevent those offences being committed. Even the framers of the Act would never have thought that such gross misuse of the section would be made even at a moment of exasperation. Really it was a day of exasperation to the Police. When they wanted and failed to manufacture a sort of welcome and when they wanted and failed to cow down the people as they did to a certain extent

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last time and create some trouble, they thought that some action or other was necessary and they had recourse to the abnormal use of this section. It looks as if that section is intended to prevent crimes designed to be perpetrated in secret and which could not be prevented otherwise. May I ask now what was the nature of the offences which Mr. Konda Venkatappayya and Mr. Swami Nayudu intended to commit? When they came to this place, they had openly stated that they were going to organize a peaceful hartal in the City of Madras. They wanted to manifest openly their resentment at the appointment of the Royal Commission not only to the authorities here but also to the Royal Commission itself headed by Sir John Simon. There was no question of their doing anything in secret. The Police officer thought that the only way of preventing the perpetration of this heinous crime by these gentlemen was to put them under arrest. At the last moment they had not the courage to proceed further. The leaders were taken to a Police officer; nobody took the responsibility for this action; even the arrested leaders did not know whether they were under arrest or not. When the police asked the leaders to give an undertaking and when the latter refused to give any, they were asked to wait there. It seems that, after some time, another Police officer came and said that they might go. That is the way in which the police trifled with the liberties of venerable men without sufficient cause, but on some information given to them.

2-45
p.m.

"Even the section does not authorize arrest on suspicion. The Police officer concerned must have a reliable knowledge of the facts that but for the arrest those leaders would commit some cognizable offence. The very fact that neither the Government nor the police or even the high officers of the police did not know the crime that these gentlemen were going to commit, shows clearly the hollowness of the position. They thought that the Andhra contingent which came down all the way from the Andhra country were helping their Tamil brethren here to have a thorough and successful boycott and so they wanted to cow down our Andhra leaders. But they found that in arresting these gentlemen they could not do it. Had these gentlemen not been kept under arrest, certainly this utter boycott would have been unique in this city. The whole of the Andhradesa and the other people who thought that their presence was not necessary would have rushed on and shown that in a matter like this, the Andhras would never be cowed down. I do not think, we need say, that the action of our Tamil brethren in this city is equally of the same nature as that of the Andhras. They have come down from various parts vying with one another to make a complete hartal. If the Police officers thought that by dividing the Andhras and Tamils by arresting one section they would be able to create some dissensions, they are thoroughly mistaken. The Andhras never thought that our Tamil brethren were in any way responsible for this, but, on the other hand, they were pleased that they were given the distinction. After all, with regard to the procession and other things, everything was arranged for, and I think even the Commissioner of Police of Madras knows fully well that the hartal and the procession were to follow a regular and well-laid-out plan of the Tamil Nadu and Andhra Congress Committees. It is not for the individual, however great he may be, either Mr. Swami Nayudu or Konda Venkatappayya to do any act that was not contemplated at the time of the laying-out of the programme for the hartal and procession. Mr. Venkatappayya and Mr. K. V. R. Swami are persons who never even under provocation think of committing any thing which they think that they could not do

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consciously—leave alone your laws. Apart from your laws, they have got their own laws and they will never be a party to any of the crimes that are contemplated, even if they are quite sure of their being scot-free, to be prevented by section 151. The hon. the Law Member in opposing the adjournment motion this morning said, 'after all they were let off.' It is true, but what guarantee is there that with this precedent any law-abiding citizen of high status could not be hauled up by even a petty police officer saying that he has got information that that person would commit some crime. Of course, it is the fault of the system. It will take some time to eradicate the system, but in the meantime it is up to us to point out to this House and to the country at large that the way in which the police behaved in arresting such hon. gentlemen as Mr. K. V. R. Swami and Desabhakta Konda Venkatappayya and other gentlemen is unthinkable in any civilized Government; such things should be resented, and we should see that such things do not recur even under this irresponsible system."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, I wish to second this motion in a few words. The object of this motion, as I understand it, is to express the strong disapproval of the House of the action of the police on the 17th of this month and also to prevent, if it were possible, similar repetitions of such acts on the part of the police in future. That is mainly the object of this motion. Though it may appear to consist of two parts, the two parts overlap each other, so much so that most of the observations which I wish to make, with your leave, will apply to both. The police in this case have acted in a cowardly and even in a high-handed manner. Men dressed in brief authority have laid their hands upon a section which, I should like to state presently to the House, is not at all applicable to the facts of this case. It was left to the ingenuity and, may I add, to the perversity of some police officer to unearth this effete and long forgotten section to invoke it to his aid for the purpose of meeting a particular situation. I can claim to be fairly acquainted with the details of the provisions of the Code and, having been at the bar for a little over 35 years, I can with confidence assert to the House that I have not come across a single instance in which section 151 has ever been applied by the police either in this province or elsewhere. Now let us see what that section lays down. It deals with the knowledge of a design obtained by a police officer touching the commission of a cognizable offence, not a bare rumour, not a bare suspicion but something more tangible and more definite, pointing to a determination on the part of a certain individual or sets of individuals, that they have set their hearts upon doing acts which will in the eye of law amount to an offence of a cognizable nature. When the hon. the Home Member was badgered with a series of questions to-day, with reference to a number of supplemental questions, he expressed his inability to give an answer, and with respect to one question, he stated that it was apprehended that these persons who were brought under arrest were likely to disobey an order that had been passed or likely to be passed by the Commissioner of Police. The only section which deals with disobedience of any order by any public servant is section 188 of the Penal Code and the offence contemplated by that section is not cognizable. Even there the police have no right to arrest a person who according to their opinion is likely to commit an offence.

"It is stated that the arrest was made under section 151 of the Criminal Procedure Code. Let me, in reply, solicit the attention of the House to sub-clause 2 of section 1 of the Criminal Procedure Code. Section 1 of the Code

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of Criminal Procedure distinctly excludes the operation of the provisions of the Code from the City of Madras, because it says, it extends to the whole of India, but in the absence of any special provision to the contrary, it ought not to apply to the Commissioner of Police in the towns of Calcutta, Madras and Bombay. Therefore, the whole of this chapter does not apply to the Commissioner of Police. Except with regard to certain categories which are to be found set out in detail in sections 83, 85 and 86 of the Code, which however do not apply to the present case, there are only three or four sections which entitle a police officer to arrest a person without warrant. These are sections 54, 55, 151 and 157 of the Code. It is conceded and it must necessarily be conceded that sections 54, 55 and 157 do not apply to the present case. But there is section 55 which might perhaps be invoked by the other side, if the facts had been that the persons on whom the police laid their unholy hands had been found making precautions to conceal their presence with a view to commit an offence. That is not their case and that is not the attitude they have taken up. The arrival of these gentlemen, according to what appeared in the newspapers, in the City of Madras was announced on the 16th. They were here to take part in the peaceful and non-violent hartal which had been so magnificently arranged to take place on the 18th. They made no secret of their presence. They did not hide themselves anywhere. Some of them were at the Mahajana Sabha hall with a view to discuss the situation, and to make necessary arrangements for the boycott. Therefore it is obvious that sections 54, 55 and 157 do not apply in their case. The only other section which may appear to apply to them is section 151 about which I shall say something just now. It postulates certain conditions which, however, are absent in the present case. As I have already stated, the Commissioner of Police has no power in this case. What

3 p.m. applies to the City of Madras is Madras Act III of 1888 and section 7 of that Act makes the Commissioner of Police ex-officio Presidency Magistrate. But that will not by itself, in the absence of any special power or any provision in the Code of Criminal Procedure, confer upon the Commissioner of Police or his deputies or assistants or even his underlings to take the law into their hands. I have, in vain, ransacked the sections in the Madras Act III of 1888; the Act does not contain a single section or provision affording justification, adequate or otherwise, for the action of the police. According to the police the patriots were about to embark upon the commission of a cognizable offence. What is a cognizable offence? I want to know from the hon. the Home Member whether the information received partook of this definite character, namely, a number of persons meeting together in solemn conclave, resolving within themselves to transgress all the limits of law, create disturbance by force or show of force and ultimately commit riot. Can it be predicted of an hon. Member of this House and an ex-member and his other friends that they are budmashes and rowdies? Or were they persons of such turbulent character that their activities should be nipped in the bud by the police resorting to this extreme measure of arresting them, putting them into a bus, subjecting them to indignities at the police station and afterwards, as though wisdom dawned on them, releasing them. The police have allowed their zeal to outrun their discretion in order to make the Simon reception affair a success, and presumably to earn a tribute from their superiors, or rewards or promotions or titles, they appear to have suddenly conceived the idea of unearthing this section and dangling it before the arrested men, saying 'Behold ye men, you are all arrested under section 151.' Verily, Sir, it is not the intention of the legislature to bring

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within the ambit of this section cases of this sort. Therefore, judged from any point of view, whether from the point of view of merits, or from the legal position, there is no reason for the police acting in this unjustifiable and vindictive manner. We apprehend that similar things will take place in future and it is to draw the attention of the Government to the serious character of this action that this motion is brought forward. We expected the hon. the Home Member to express his regret on behalf of the police, or communicate to us the regret of the police officers and give us an assurance that in future such things would not happen. But from the answer given this morning we are led to believe that the hon. the Home Member seeks to take the police officers under his protecting wings and shield them. That is not the attitude which the hon. the Home Member should take. He is not a bureaucrat, and I hope he will not allow himself to be converted into one by reason of long association with that body. All the same, I say, we are disappointed at the answer, and the unsatisfactory answer has added to the confusion of the situation.

"I am anxious to hear the view of the Advocate-General, and from the position he occupies one may safely predict what his view will be. Sir, I say without any self-adulation, that I have been a lawyer for a period of 35 years, during the greater part of which my practice was largely confined to the criminal courts and so I can claim an intimate knowledge of the sections. I challenge the hon. the Home Member and the Advocate-General to point out any provision or authority in justification of this illegal, improper and unwarranted action of the police."

* The hon. the PRESIDENT :—"The question is that the business of the House be adjourned."

* Mr. C. RAMASOMAYAJULU :—"Mr. President, Sir, it is impossible in discussing this motion to be temperate in language. For, the action of the police in this matter is not merely mean and impudent but also illegal. As has been pointed out by the previous speakers section 151 necessarily requires that the police officer must know that the person is likely to commit a cognizable offence and mere suspicion will not do. Do Government think for a moment that persons like Mr. Konda Venkatapayya, who lead a saintly life, and persons of the type of Mr. K. V. R. Swami, who have suffered jail life for the sake of the country, that persons like them pledged to the creed of non-violence, would excite the people to acts of violence, or themselves commit breach of peace or incite others to commit breach of peace? My point is this; in their anxiety to arrange a put up show of tranquil welcome when the Simon Commission comes here the police took up the law into their hands and behaved unlawfully. The hon. the Home Member had not the courtesy to tell us in answer to the questions put to him this morning what sort of information, or at least the nature of the information on which the police acted, or that led them to believe that a cognizable offence would be committed. Then, Sir, the whole procedure from start to finish is wrong. After arrest they have to be released only under three alternatives. Section 63 of the Code of Criminal Procedure lays down 'either on their own bond, or bail or by special order of the magistrate'. Admittedly they did not give any bond; admittedly there was no bail offered; and admittedly there was no special order of the magistrate. The Home Member says that the Police Commissioner is a magistrate.

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He may be one, but the magistrate must necessarily record his reasons for releasing the arrested persons. From first to start it is an action of nervousness engendered to extinguish the enthusiasm of the people by means fair or foul, lawful or unlawful.

"In fact, the people anxious to maintain peace were Congressmen and those who broke the peace were the police. Government is anxious to divide the people and then make out a case for outlawing a few. Whatever it is, there is absolutely no warrant for the procedure of the police in this matter. As has been observed by my leader if the arrested persons had been detained till the next day the Government would have lost their case out and out, and once and for ever. Fortunately for them good or better sense dawned upon them, and as though to make amends for their action they set them free. I ask, Sir, in a country like this is people's safety to be risked in this fashion? I ask the hon. the Home Member, does he know or has he cared to know the political, the social, and the public and private life of the arrested persons. (A voice: 'He will ask for notice.') If he takes pains to inquire he will discover that non-violence is the creed of all of them. Mr. Konda Venkatapayya's name is one to be conjured with. Mr. K. V. R. Swami has chosen the creed of non-violence and he suffered imprisonment in country's cause. This state of things ought not to be tolerated. The Government instead of condemning the action of the police try to protect them. That is not worth the dignity of the Government.

"Sir, I am speaking not merely from the Congress but from the ordinary human point of view. If to-day it is the congressmen that is molested like this by the police, to-morrow it will be the Justice party men and the day after to-morrow it will be some one else. If things are allowed in this manner to take their own way, where will the safety of life and property be? Sir, let us rise above party considerations, let us fight on fundamental considerations. Even there, if things are to be set at naught, can this kind of administration be tolerated for a single moment?

"So, Sir, with all humility I request every Member of this House to consider for one moment this question not from the party standpoint. It is likely to affect you (turning to the several sections of the House you and you if not to-day, some time hereafter. If to-day the Government is somehow or other supporting one party or other for their own purposes, it will not be a permanent alliance. To-morrow on some issue or other the Government is likely to alter its relations. Therefore I appeal to you to have permanent issues before your mind, before you vote on this matter. Think just for once at least that it is the interest of the Indian citizen but not the interest of this party or that that is jeopardised."

* Mr. K. MADHAVAN NAYAR :—"Sir, I rise to give my strong support to this adjournment motion. I believe, Sir, that a very critical and a very grave situation has been created in this country, such as one that has not been known after the Rowlatt Act was passed a few years ago, a situation that seriously jeopardises the liberties of the people of the province. Sir, when our liberties, including the liberties of my hon. Friend Diwan Bahadur M. Krishnan Nayar, the present Law Member, are not safe—I say even his liberties are not safe under the present circumstance in the hands of the lowest police officer in this Presidency, though he thinks that it is nothing if, after keeping a man in police custody for some hours, he is released ultimately—I ask you, Sir, to consider the gravity of the situation that has

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been brought about by the action of the police at Madras. I rise, Sir, to support this motion more especially as a member from Malabar because I feel that we people of Malabar from the time we welcomed the occidental nations to this country up to the time that one of the sons of Kerala, flouting the opinions of the people of this country, agreed to co-operate with the Simon Commission; from the time, I say that we welcomed Vasco De Gama up to the time that Sir C. Sankaran Nayar accepted the President of the Central Committee to co-operate with the Simon Commission, we have more or less an unbroken record of national disservice, and a multitude of sins to atone for. Therefore, Sir, I consider the duty of Malabar, whose special police is often requisitioned to suppress the national aspirations and activities of national workers, is all the more great to prove that there are at least some people in Malabar who sympathize with national workers, who feel for people that are prepared to sacrifice their liberties and their lives in the cause of the motherland. We do sympathize with and admire these Andhra leaders, men like Mr. Konda Venkatappayya and Mr. K. V. R. Swami who have to their credit a life-long record of national service. It is scandalous to find that even such people have no safety in this country. I was really glad when I came to this Council Hall this morning and when I read the answers to questions that, at least my hon. Friend Mr. Krishnan Nayar had nothing to do with the arrest of these gentlemen. And it really pained me therefore to hear from him later on that he did not feel the restrictions of the liberties of these people, locking up of these for some time or keeping them in the police station for some time, this did not deserve any serious consideration at all. When I heard this from him, I really was sorry both for myself and for him and for Malabar. I hope, Sir, that that statement was not a statement deliberately made by him but one that was made on the spur of the moment, and I do not think that the hon. the Law Member will hold the same view in calmer moments. With that remark, Sir, I pass on to the action of the police at Madras. I am glad that there are police men and police officers elsewhere than in Malabar who can outwit the Malabar police in high-handedness. I am glad in this matter at least the officers of the Police department in Madras have beaten our men in Malabar.

"Now, Sir, I shall just turn to section 151 of the Criminal Procedure Code to show how arbitrary and unjust the action of the police has been in taking away and wrongfully detaining men of such high position and respectability as Mr. Konda Venkatappayya and Mr. K. V. R. Swami. Section 151 of the Criminal Procedure Code was perfectly unknown, not only to laymen but even to lawyers who had even a busy practice in criminal courts as my hon. Friend Mr. Srinivasa Ayyangar just now told you. Section 151 was known to lawyers only as a comprehensive section in the Civil Procedure Code and not as a section in the Criminal Procedure which was utilized for any purpose either by the police or by the magistracy. But this Government has been able to bring notoriety to that section, to make it known to the people that, whatever the intention of the framers may be, it is a section which is capable of being abused for whatever purpose the bureaucracy or police officials in the country may like to use it. Section 151 as framed by the legislature has certain safeguards. Were those safeguards or provisions in any way respected in the action that was taken by the police in Madras. That section says: 'A police officer, knowing of a design to commit any cognizable offence may arrest, without orders from a

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magistrate and without a warrant the person so designing if it appears to such officer that the commission of the offence cannot be otherwise prevented.' First of all the police officer should *know* of a design, the word used is to know. So it is clear that it is not on *suspicion*, but on *knowledge* that an offence is likely to be committed on which a police officer can proceed or act under that section. Then the section goes on to say 'design to commit.' To commit what? 'To commit a cognizable offence.' Further the police officer may arrest 'without orders of a magistrate or warrant any person so designing . . . if it appears to such officer that the commission of the offence cannot be otherwise prevented.' If it is possible in any way or by any means to prevent the commission of that offence, this section 151 cannot be resorted to by the police officer. Thus we see that the police must have knowledge, they must have credible information that a cognizable offence is going to be committed, and it must be impossible for them to prevent the commission of that offence by any other means than by a resort to section 151. These are the provisions of section 151 of the Criminal Procedure Code and a police officer has to see that these conditions are satisfied before he resorts to that section. Now what was the knowledge the Government had, the police officer had, of the likelihood of the commission of a cognizable offence? If they had that definite knowledge, why is not that definite knowledge placed before this House when they are asked about it? What was the cognizable offence that these persons were known to be going to commit? Was it impossible for the Government in this Madras Presidency with all the force of the military and the police behind them to prevent the commission of that offence by such innocent, harmless, non-violent people like Mr. Konda Venkatappayya and Mr. K. V. R. Swami? Do you for a moment believe that this latter gentleman who is a member of this House who we know, is incapable of any violence in thought, word or deed is likely to do anything that will lead to a breach of the peace? Is he capable of that? Is he not an hon. Member of this House whose liberty deserves to be protected by this British Government? If such gentlemen as Mr. Konda Venkatappayya and Mr. K. V. R. Swami, if their liberties can be taken away by any police officer, if they can be kept in the police station for a number of hours as if they are felons or dacoits or robbers, if that is the condition under which we live, I ask in all humility is there safety for any one in the country including officers of the Government, including the hon. the Home Member, the hon. the Law Member, and persons inside and outside this House? I ask you, where is liberty in such an atmosphere? Can there be a more critical or 'a graver situation than this? I appeal to the House through you, Sir, therefore whether you are justicites or independents, to whatever section of the House you belong, to realize that there is one fundamental duty which devolves on you so long as you are a member of this House; and that is you have to protect the elementary rights of the people to enjoy their individual liberty. If you are not prepared to do that, if you do not look to the interests of the people, but blindly support the Government whatever action they take, then I submit you will be doing a great injustice and you will be guilty of a great dereliction of duty. I appeal to every member of this House therefore to support this adjournment motion. I submit in all humility that a graver or a more serious crime has not been committed by this Government in recent times and I therefore beg to give my strong support to this adjournment motion."

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* Mr. T. ADINARAYANA CHETTIYAR :—“ Mr. President, Sir, in season and out of season, from Cape Comorin to the Himalayas the police to cover up their tale of inefficiency of administration year after year give this as the reason, namely, that the educated public do not co-operate with the police. Sir, I ask the Madras police whether their latest exploit is one which will ensure for them or for even their successors any co-operation from any member of the public who cares for his self-respect, nay for his cherished liberties. Sir, I would also ask the same police whether then they will dare hereafter ask for the support of the. . .”

* The hon. the PRESIDENT :—“ It is better for the hon. Member to ask the Home Member but not the police.”

* Mr. T. ADINARAYANA CHETTIYAR :—“ I am afraid all my words are wasted on the eminent gentleman who occupies the Home Member's place (laughter). I will have to address him all the same. Sir, I ask the hon. the Home Member and the police, through the hon. the Home Member, to tell me, when they appeal for the co-operation of the public, what part of the public they want to co-operate with them? You take away from among the people the best in the land, men whose names can work wonders amongst the most literate population of India, men who have grown grey in the service of the country, men who stand like beacon lights for non-violence and patriotism, by clapping them in jails under sections which are better forgotten for the very good name of the British Government. And then you plead for the co-operation of the public. Sir, I assure you that the only public that you will have to go to will be those people with whom you are unfortunately familiar, namely, the K.D.s. who have to report their minutest movements to every police officer night after night. If you want that sort of co-operation, I wish you joy, but the better public will not certainly co-operate with you after this latest exploit of yours. Sir, whatever may be the result of this motion, I am glad there will be one result. I know you will not with the same facility ask for the co-operation of the educated public. I know even you, tough-skinned as you are, will be ashamed to ask for the co-operation of the public.

“ Next, I ask the hon. the Home Member what is the justification for all this military—I do not want to call it even semi-military—display to which Madras has been an unfortunate eye witness for a few days preceding the hartal? I ask you, Sir, what is the justification for this most ignominious and crowning piece of folly which you perpetrated on the afternoon of the seventeenth and of which even you, tough-skinned as you are—I repeat—repented within 120 minutes? Sir, you may perhaps think that the few incidents of February 1928 in which a few people lost their lives was the justification for this. But may I ask you, Sir, at whose doors the faults for the events of February 1928 are to be laid? Sir, the predecessor of the present Commissioner of Police, Mr. Travers Phillips, volunteered his advice to Congress leaders and asked them not to stir out on the day of the previous hartal, and these events happened afterwards. I am sure if the Congress leaders were allowed to take the guidance of peace and order of this city, things would have been very much better. But the police officers prevented us from coming out and pacifying the crowd. If they had the chance to do so, it would have been found that the crowds were amenable to our advice. But as you mismanaged it, the result was you were not only incapable of

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taking charge of the situation but would not leave the situation in the hands of the people who would certainly have done better and yet can that be the justification, for the elaborate military arrangements which you made on the 15th, 16th and 19th of this month.

3-30
p.m.

"Sir, my friend Mr. Madhavan Nayar complains the fair name of Malabar has been tarnished probably because the hon. the Law Member comes from Malabar and perhaps therefore the Malabar Special Police had to come here as if another Malabar rebellion was in progress. While on the subject of last year I would even take the liberty of reminding my hon. Friend the Home Member that if the Police people had only released the two or three innocent men from the B-2 Law College Police station for whom substantial citizens were offering themselves as bail including the hon. Member for the University, these untoward incidents could have been easily prevented. But it is a notorious fact that our administrators are blind, not only blind but deaf and dumb and therefore they will not do anything which could have easily got over and prevented such mishaps. It is evident they wanted to discredit the whole nationalist leaders of this province by having the military and the police parade in the streets of Madras so that they may later be able to say that Madras was about to be visited with a great calamity but 'I, the Commissioner of Police, have saved it' and perhaps also the hon. the Home Member must have his share of the credit. The credit is not yours; the people most willingly obeyed the Congress leaders and observed a splendid hartal. Your people prevented us even from posting the hartal notices on the walls. You engaged people and some of us have seen it—and we are ashamed of it too—you have engaged people to pull down the posters."

* The hon. the PRESIDENT :—"I request the hon. Member to come to section 151."

MR. T. ADINARAYANA CHETTIYAR :—"Sir, it is a very unfortunate section but all the same I have to come to it. Coming to section 151, which unfortunately our authorities are not allowing to lie in the limbo of forgetfulness to which it naturally belongs, that section has been thoroughly and fully exposed and explained by the previous speakers who pointed out that it was clearly intended to be used at grave situations, situations which cannot be prevented by other methods which human ingenuity could suggest, situations which if extreme steps are not taken to cope with, would result in grave crimes. Sir, I ask you, I am repeating probably in weaker language what has been already said more eloquently by the previous speakers, to lay your hands on your hearts and see what was the public danger, what was the grave crime which would have been committed and what are the reasons which made you to resort to the use of that section. Can you substantiate the danger before any discriminating public and prove there was justification for what you have done. Sir, this unfortunate section is one of those pieces of legislation with which this land is replete, one of those time honoured, rusty instruments beginning with the notorious Regulation 3 of 1818. Sir, even in this unfortunate land where these time honoured ancient weapons are allowed to remain in the Government's armoury, in the convenient armoury of unscrupulous administrators, there are laid down certain rules and regulations, certain safeguards which ought to accompany the use of this almost forgotten weapon. But in this particular instance, in the use of this section 151, even the usual precautions were not observed. Sir, the gentlemen who were made to seek the hospitality of the police station much against their wish were not

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shown any warrant or any piece of paper charging them with any offence or seeking to place at their doors any cognizable offence and the people who escorted them—politely no doubt—to the Police station were ‘bare-dress’ constables as if they were ashamed while engaged in this condemnable act of wearing His Majesty’s uniform. Therefore, my complaint is not only about the use of this section most unscrupulously but that even the usual procedure which has to be observed by all decent people not being observed. Sir, ostensibly the liberty of these popular leaders was sought to be crippled because Government wanted to give a safe passage to the Simonites. I ask the hon. the Home Member, what are the Simonites here for, consuming the huge expenditure which I am sure will be lakhs or crores when the day of reckoning comes. What are they here in this country for? Have they come to wash off their sins in the holy waters of the sacred rivers of India or to worship the various shrines of India and accumulate merit for the next world? They have come to study the country, study its many problems, study things and evolve as far as it lies in their power, a new system of governance for us. If so, what is the meaning of their being secretly handed over, as my friend Mr. Pattabhi Sitharamayya said, their being lifted by cranes out of the steamers and being dropped into closed cars to be taken to the Government House, leaving the whole world to speculate, whether they flew in the air or burrowed under the earth, the only thing they were allowed to know being that they had arrived and safely reached the Government House. Is it your desire that they should not know the ugly truth in Madras?”

* The hon. The PRESIDENT:—“Again, I have to remind the hon. Member that he is getting outside the relevancy of the question.”

Mr. T. ADINARAYANA CHETTIYAR:—“Therefore in their anxiety in not allowing the Simonites to see the black flags the Police saw red and utilized this rusty and musty weapon which they ought not to have utilized. As my colleague Mr. Madhavan Nayar said, this is a question of most far reaching importance. It is not a question of affecting a Member of this House or a few individuals merely. These people have adorned jails and they have seen police stations as well. Their sacrifices would be remembered long enough and their cause would stand most ennobled in the history of this country. They are not afraid of jails. They have seen them and I am not concerned about these. But what I am concerned with is that the liberty, the cherished liberties of the people of this Province are at stake and therefore I would request the whole House—to whatever section members may belong—to vote for the motion. I would appeal to them to have their memories brushed up in case their memories are hopelessly short. They would remember that 12 months ago our friends of the Democratic party popularly known as the Justice party were with us in the hartal, heart and soul. But things have turned otherwise now for the misfortune of the party or for ourselves or for India. But of this I am not here to judge. I just want to remind them that in the very immediate past they were with us. Therefore I appeal to them not to help the Government in the unholy task of depriving the people of their liberties. It may be that it is our turn to-day. Who knows it may be your turn to-morrow and then it will affect your cherished liberties—your children’s—nay of generations yet unborn.”

* Mr. A. KALESWARA RAO:—“Mr. President, the personal aspect of this question is not at all an important question, because Desa Bhaktha Konda

[Mr. A. Kaleswara Rao]

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Venkatappaya, Mr. K. V. R. Swami, Ponnayya Sastri and K. Venkata Rao were not afraid of the arrests or Police zulum but the constitutional aspect is far more important and that is the thing that we have to see and consider about in this House this evening. Now, Sir, on that day two highly respectable men—Mr. Konda Venkatappaya, an ex-member of the hon. House, who once adorned this House and Mr. K. V. R. Swami who is an hon. Colleague of us all—both these gentlemen and two other young men who are engaged in national service were arrested by the Police on the evening of the 17th of this month without warrants and they were detained for a few hours and then released. This morning when we put questions about the unwarranted, illegal and provoking action on the part of the Police our hon. Friend the Home Member gives a most callous answer. The answer is neither decent nor sympathetic nor fair. Instead of being able to give straight replies he had to blink and he had to give all sorts of false informations. I was here that day and personally know so many things and I can challenge the hon. the Home Member that what he said was not at all correct. He got wrong informations, some information which was invented in order to escape out of this muddle into which the Police fell and which the Government want to support and shield. That is the inconvenient situation. These hon. gentlemen were arrested and after all why were they arrested, that is the question that we put to him. This morning the hon. the Home Member has confined the whole thing to only one aspect, viz., because information came to the Police that these people were not willing to go by the prescribed route, the route prescribed by the Police authorities. In fact there was no route prescribed by the Police authorities either on the 17th or on the 18th. I was here on the 17th and 18th. We went along the streets and the Police were kept here and there in some stray streets where they prevented people physically from passing along. Except in places where Police were guarding there was absolutely no objection. One procession went through the Napier Park to the Cupid sands here. There was another procession in which myself, Mr. Adinarayana Chettiyar, Mr. K. V. R. Swami and our learned friend Mr. Ranganatha Mudaliyar were all present. This procession went from the Swarajya office through the Georgetown and except at the Law College and also at the Central Station we had no obstruction from the Police. We were not obstructed by anybody else anywhere. There were no routes prescribed anywhere. The only way we thought it convenient was to start from the Napier Park and go as far as possible on the beach road till we were physically prevented by the police or till the police told us that they would physically prevent us from going beyond. We had a successful meeting after the procession and there was complete hartal and everything went on well so that the question of route was not a point at all that was raised. It was not a point on which these gentlemen were arrested. These gentlemen, I should think, were arrested in pursuance of some conspiracy to terrorise and terrify people and prevent the people from closing their shops; and by all this vandalism, jabardusty and zulum they wanted to prevent the people from joining the demonstrations. Except that, I could find no other meaning in their arrests. Section 151 says that one could prevent persons from committing an offence by arresting them. That is, unless they know that the offence could not be prevented except by the arrest of these people they should not arrest. Now, what has happened. They arrested these gentlemen and released them also without getting any

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bail. If really the police were honest, if their object was only to prevent these people from disobeying certain police orders, could not they go and ask these gentlemen, or ask Mr. Srinivasa Ayyangar or Mr. Prakasam or Mr. Ramadas Pantulu upon whose assurance the hon. the Home Member says some of those persons were released? I am going to deny and challenge the statement of the hon. the Home Member because I know that it is not at all true and nobody gave any assurance of the kind. They did not give assurances nor did hon. Ramdoss Pantulu give. Could they not telephone to the leaders and ask whether any disobedience was contemplate? They did nothing of the kind. Instead of that, they came with two buses and a dozen constables, with spears and bayonets, swords and guns as if they were going to arrest a big gang of dacoits. Those people were in the Mahajana Sabha Hall, and as soon as it was known that the police were in search of them, Mr. Prakasam and Dr. Varadarajulu Nayudu took these people and handed them to the police themselves. Even at that time, did they ask Mr. Prakasam or others as to whether these gentlemen were going to disturb the public peace. Did these police officers who have got such reliable information, as was said by the Home Member in his answer to-day—credible information—say that these members or ex-members of the Legislative Council are going to commit breach of peace or disobey police orders or create confusion and disorder in this big city, the capital of the provincial government? If really they wanted to behave in a gentlemanly fashion, in a human fashion, they should have ascertained from the leaders what their intention was. Nobody knew why those persons were arrested, how long they would be detained in custody and what action the police were going to take. They might be asked to give security under sections 107 or 108. Criminal Procedure Code. Mr. Prakasam made arrangements for the clothing and food of those people for the night and for the next day also. Of course it was expected that they would be there for some days and not released so soon. It was also thought that all of us would be arrested—at least that was the thought that prevailed in the minds of all of us who came to take part in the boycott demonstration from the mufassal. We were all ready, but we thought that we would be arrested in our lodges or hotels in the early hours of the next morning as Mr. Sambamurti was arrested in the Bezawada platform when he was alone with his wife in the dark hours of the morning, the poor lady being left alone to take care of herself as best she might, or to be taken care of by some strangers. After some time we all went to the Commissioner's office—Mr. Ramadas Pantulu, Mr. Nageswara Rao, myself and Mr. Venkataratnam and others. We all thought we would be arrested, and why should we not court arrest instead of allowing them to disturb our friends and their families where we were staying in the dead of night."

* The hon. the PRESIDENT :—"The hon. Member will be more relevant to refer to section 151 and arrest and not to what he was doing on the evening of that day."

Mr. A. KALESWARA RAO.—"Thank you, Sir. The action of the police under section 151 was so illegal and so provoking that but for the presence of the non-violent atmosphere of the Congress party there would have been a breach of the peace; so many people gathered there and great consternation prevailed amongst the people. When we went into the Police

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Commissioner's office, these two gentlemen, Messrs. Swami and Venkatapayya came and the first information they gave us was that they were simply put a question whether they would commit breach of peace to which they said that their creed was non-violence and then they were asked they should sign bail bonds to which they said 'No', and then the Police asked them to go. Was the section 151 properly used in the circumstances, when they are asked to go away even without bail? That shows that even if they were asked the same question before they were arrested, the same answer would have been given by them and there would have been no necessity whatever for the arrest. Therefore, I submit that section 151 was abused; no offence was in fact prevented by their being detained there for a few hours, they did not give any undertaking and they acted in the same way as they would have acted without the arrest; they were not terrified by being in jail. This only shows that even the best man in the country, the best Indian, is not safe, his property or his life or his liberty is not secure at the hands of the police and the alien bureaucracy which are controlling the police. That is the conclusion we have to come to; therefore it is the duty of every one in this House, whether he belongs to the Congress party or Independent party or Justice party, or a nominated member to show his strong protest when people are molested and annoyed and arrested without any cause and then let free, in such a wanton manner. That is why I request the whole House, through you, Mr. President, to support this motion for adjournment."

* Mr. S. N. DORAI RAJA :—" Mr. President, Sir, I rise to oppose the adjournment motion. The burden of the song of the opposite side for the last one and a half hours has been absolute condemnation of the police and has been nothing but interested and discrepant. It has become the unfortunate tendency in this House for most of the members to base their arguments, when questions of this sort are discussed, on personalities and not on principle. If every police act, if every action taken by the police in the exercise of their legitimate duties is to be subjected to an adjournment motion in this hon. House, we will not only make their position absolutely impossible, but at the same time make them lose their legitimate interest in the preservation of law and order. Even at ordinary times the responsibility and the anxiety of the Police Commissioner in a big city like Madras, are great and onerous. The Congress, the greatest political organization (Swarajists : Hear, hear), is for absolute boycott and hostile demonstrations against the Commission. They have threatened the co-operators with social ostracism and called them names. (Swarajists : Question.) Have not the Swarajists stated from thousands of platforms that they would even court arrest under section 144? There are two sections in the country, one for co-operation and the other for non-co-operation and so there was fear of collision. When Sir John Simon came to Bombay, there was bloodshed here. There was the prospect of a riot at the time of his coming to Madras. What should the Police Commissioner do in the circumstances? Certainly to send for those people about whom was brought information that they would commit breach of peace. What did he say to them? He treated them with great respect as one gentleman would treat another and on their giving an assurance that they would be peaceful he asked them to go away for want of proper precautions. If anything had happened the Police Commissioner would have been held responsible, and his position would be made intolerable. It was because that every precaution was taken by the Police that

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there was absolute peace. Instead of congratulation the Commissioner gets all sorts of abuses. So the present motion is absolutely unfair, unjust and illogical."

Mr. B. Venkataratnam next spoke in Telugu.

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I appeal through you, to the hon. the Home Member to give that attention and consideration to this motion which it richly deserves. From the way in which the answers to questions on this subject were given this morning and the way in which the hon. the Law Member wanted to give a sort of whitewash to this affair when leave was asked for moving this motion, it looks as if one of two things must be in their minds. I think they must either consider that this motion on the action of the police on 17th February 1929 is of such a trivial nature that the time of the House need not be spent in discussing it, or that they are so ashamed for all that was done both at the beginning and at the close of that episode on the evening of 17th February that they are unwilling to go into details and be driven to confess their own faults. Sir, at this stage I may say from my own experience that it is not so much the preaching in some cases by the leaders of the Congress that is making some of us converts to non-co-operation as the action, direct and indirect which goes to our very souls, taken sometimes wantonly and sometimes unwisely and provokingly by the Government. At any rate it is true of me. The Government seem to have taken this action light-heartedly, I presume. I stand to be corrected. I hope I am wrong in making that statement. As several hon. Members have pointed out, it is not a case of this person or that person that is arrested alone that is involved in this matter. It is not merely a question for the Andhras alone. It is not the spirit of the Andhras alone that is wounded. It is not even the spirit of the province that is wounded. It is the national respect and the country's spirit that are at stake and wounded in the person of Desabhaktha Konda Venkatappayya, in the person of my hon. Friend Mr. Swami, in the person of Mr. Ponnayya Sastri and in the person of four others. Just as the Simon seven have come down here as the representatives of Parliament to test our fitness for further advance, even so it strikes me that these seven individuals were chosen from among the members of this country as the representatives of the spirit of the country and its force. It is by the arrest of these seven, Sir, that we feel cut to the quick. We will take it to heart and remember it as long as we live, and even after. In the arrest of these seven persons you have arrested the Indian spirit. You have tried to lay your unholy hands on the growing progressive national spirit of India; and therein lies our strength and your weakness, and therein is the moral force behind. You all remember that when Jesus was arraigned before Pilate, Pilate would jestingly ask 'what is truth?' and would not wait for an answer. Even so is the Congress spirit dealt with. The first article of the Congress creed, my hon. Friends on the Treasury Bench do not know. They do not know what Ahimsa is. They do not know what soul force is. They only know of their temporal power. They forget that temporal power is of a temporary nature, and that soul force and Ahimsa are the foundation stone of the Congress creed; the corner-stone of the Congress creed, the top-stone of the Congress creed. These are things which they have yet to learn. They might have taught us the principles of administration and law and order. But, beyond and above human laws and human order, there is a law and order which model every human being and which will not be trampled down by mere physical force and which will not be confined to the prison walls. For, as the poet said :

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Stone walls do not a prison make,
Nor iron bars a cage;
Minds innocent and quiet take
That for an hermitage.

"If the leaders of the Andhras had been in jail to-day I should have considered it an honourable place as honourable as the place where Lord Krishna was born. And I would have communed with them soul to soul. That is the force that you have to reckon with. Our meekness should not be mistaken for weakness. We may be meek. These are battles of the sages. Has India fallen to that state when you invoke section 151 with impunity!

"Sir, I now come to the subject which concerns us most intimately. I am glad of what has happened. Instead of condemning the Commissioner of Police I congratulate him. Sir, unfortunately I could not be present in Madras at that time on account of several circumstances. It looks as if I can read the Commissioner's mind. He soon found out his mistake. Whether it is his own mistake or of somebody else or of his subordinates, as soon as he found out the mistake, as an honourable man he wanted somehow or other to get out of it and hence the trouble as to whether Desabhaktha or Dr. Pattabhi will sign a certain statement. When they refused, he did not insist. He thought that the situation did not require the arrest of these people. That some one blundered, but that as the man in charge of the light-brigade he did not persist in blundering, he must find a way out was clear. Therefore even though there was a blunder in the beginning, he attempted at the most opportune moment and, in time I should say, to rectify it. Instead of persisting in the mistake he attempted to rectify it and for that I find it hard to withhold my congratulations from him.

"But what about the Home Member. He said that the Police arrested these honourable men under section 151, that the Police had credible information that these men intended to disturb the public peace on the 18th February 1929. There are two points involved in this.

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"One is that these men intended to disturb the public peace. Let us see whether these men intended to disturb the public peace in any part of the City of Madras. On the other hand, it is the Police who attempted to disturb the public peace on the 18th February. On the 18th February—it is up to the Government to refute it—in Muthialpet High School a student named Mr. Duraiswami was molested by the Police, he was dragged and beaten by the Police and the headmaster and one of the assistants in the school will bear testimony to this fact. We are told that the student reported the matter to the Deputy Commissioner of Police and I do not know what happened later on. That is what happened on the 18th. Therefore who is it that disturbed the public peace? Is it the Police or the Andhra leaders or the Tamil Nadu leaders or even the masses of the Madras City? Sir, according to the information supplied to us this morning to a supplemental question by the hon. the Home Member, he told us that the Police were not always bound to give out the source of their information. Although my memory has failed I think that is not what section 151 or any other section states. By this time he must have been fully aware of all the implications and complications of this section. As far as the information of the Police is concerned, according to Criminal Procedure Code it is the

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source of information that the police are not bound to give, but the information they must place before the House or give it to whomsoever that asks for it. If I am to be arrested or even he, the Home Member—when he lays down the office of Home Membership—may be molested as in other Provinces, the police are bound to give the information.”

An hon. Member :—“Just as the Raja of Muhammadabad.”

Mr. P. ANJANEYULU :—“Sir, it is not a question of Konda Venkatappayya alone. The question of his person becomes relevant in this way, viz., that even when such a great leader as Konda Venkatappayya is arrested, what about poor mortals? I would tell the hon. the Home Member that section does not lay down that the police should not give out the information although it lays down that they should not give out the source of information, viz., that they got the information from an Ayyangar, or an Ayyar, a Muhammadan or whoever it might be. So the congress people were entitled to the information—I mean the charge on which they were going to be arrested. They were not given this information and so they had no orders to obey or disobey. They were never told by what road they should lead the procession. They never said what road was forbidden for procession being conducted. What was the sort of information they got about the leaders then? If the hon. the Home Member has any facts it is up to him to give us now. From the way in which he answered a few questions, viz., that “after making enquiries he elicited this information from the police”—just as we elicit information from the Treasury Benches—it is very significant he could not get more information than was provided for in that answer. If so, he is hopelessly helpless, and if to-day with this weakness I am offered the position of Home Membership, I should say ‘I decline it with thanks.’

“As regards the method in which they were let off, I will not traverse the ground already traversed by other speakers. I would only request the hon. the Home Member not to trifle with this matter but to take into consideration the earnestness with which the whole of Andhra desa feels about this question. As far as my district is concerned, if only we did not receive this information, viz., that the leaders had been released—I was in a public meeting—for one Desabhakta Venkatappayya, there would have been 700 more who would have been prepared to go to jail on this issue. In Madras no one is afraid of going to jail. In a country where you had to put a stop to Sati by an Act of Parliament, where even women did not fight shy to lose their lives by throwing themselves into the fire when their husbands died, in this country people are not afraid of losing their lives even. Imprisonment is nothing for a people who believe in other worlds, and in past and future lives. ‘And there is that within us which passeth all show. These are but the trappings and suits of woe’ in this unhappy country. So, I do hope that the hon. the Home Member will give this subject every consideration that it deserves and give us all the information that he has for justifying the conduct of the police in this matter. If he has nothing to offer, let him say frankly ‘I am sorry, the department will make amends for this mistake.’”

* Mr. ALLADI KRISHNASWAMI AYYAR :—“I had no idea of interposing in this debate but for the fact that my hon. Friend the Member from Cuddalore has thrown out a challenge regarding certain provisions of the Criminal Procedure Code.”

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An hon. Member :—" Were you consulted ? "

Mr. ALLADI KRISHNASWAMI AYYAR :—" I am not in a position to answer questions. I am not concerned with either the policy or the principles underlying section 151 or the circumstances connected with the arrest. All the circumstances connected with the arrest of these particular people the hon. Member for the Government will, I dare say, place before you.

" I shall for a moment place myself in the position of an advocate stating a case before the Court and deal with section 151. Section 151 refers to cognizable offence and cognizable offence is an offence in respect of which a person may be arrested without warrant. If the Commissioner has issued directions of any kind in regard to a route through which only the procession could proceed under the terms of section 41 of the Police Act, any person disobeying that direction could be arrested without warrant under the provisions of the Police Act."

An hon. Member :—" Well, did he do it ? "

* The hon. the PRESIDENT :—" The hon. the Advocate-General has placed necessary limitations regarding the scope of his speech. He is only explaining the principles of law and I do not think the Opposition will be justified in interrupting him with these or similar interjections."

Mr. ALLADI KRISHNASWAMI AYYAR :—" In dealing with the Police Act for this purpose, the argument will have to be based on the footing if the person concerned did not obey the order, could there be an arrest without warrant ? Whether there was reasonable apprehension on the part of the Police officer and whether a commission of this offence could have been avoided is a fact which the Police officer has to judge. So far as the offence is concerned, you have to see whether the offence of disobedience to police order is an offence in respect of which a person could be arrested. I submit it is. If my hon. Friends had referred to the definition of a cognizable offence, they would have found it means an offence in respect of which the Police could arrest without a warrant under the Code or under any Special law."

Dr. B. S. MALLAYYA :—" On a point of order, Mr. President. Is the Advocate-General entitled to read from books ? "

Mr. ALLADI KRISHNASWAMI AYYAR :—" I do not carry the law in my head. It may be an advantage to talk without books, because you can then talk at large.

" Now, to come to the point, cognizable offence means a case in which the Police officer within or without the Presidency town may, in accordance with the schedule of offences or under any law for the time being in force, arrest a person without warrant'. If hon. Members will kindly turn to section 24, they will find that for any of the offences under that section a person can be arrested without a warrant. If a person disobeys under section 41, he is guilty of offence under the City Police Act and he can be arrested without warrant. So the challenge of hon. Members opposite is wrong."

Hon. Members :—" Address the Chair, please."

* The hon. the PRESIDENT :—" I have to repeat the warning already given. I have to request hon. Members of the Opposition not to interrupt the speech of the hon. the Advocate-General."

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Mr. ALLADI KRISHNASWAMI AYYAR :—"The question is whether the persons were about to commit the offence. Therefore, if they did commit the offence, whether it would be an offence in respect of which they would be arrested without warrant. Therefore if there was an order or direction issued by the Police officer under the terms of the Police Act and if that order is disobeyed, under the terms of the Police Act, the person disobeying may be arrested without a warrant. If a person is about to commit a cognizable offence then he may be arrested under the terms of that section. For the purpose of finding out whether an offence is a cognizable offence or not, hon. Members will have to proceed on the footing whether if an offence is committed under that section it is an offence in respect of which a person can be arrested without a warrant.

"There is no use in saying that the four men arrested did not commit any offence, because even in the other cases to which section 151 applies, the person need not have committed the offence. A man can be arrested without warrant if he is likely to commit an offence which is cognizable. That would be the test. My submission to the House is that, if a person intends to disobey a lawful order issued under section 41 of the Police Act, he is guilty of an offence under the terms of the Police Act and can be arrested without warrant. Therefore it becomes a cognizable offence within the meaning of the Criminal Procedure Code and if a person threatens or is about to commit an offence of that character, the provisions of section 151 are applicable. That is so far as the question of threatening to commit a cognizable offence is concerned. 4-30 P.m.

"Then with regard to the knowledge, required under the section, of a Police officer, if there is definite, clear and specific information before the Commissioner—information which a man of ordinary prudence or a Police officer can act upon—it would be knowledge within the meaning of section 151."

Mr. BASHEER AHMAD SAYEED :—"A point of order, Sir. Is the hon. Member entitled to proceed on hypothetical cases?"

* The hon. the PRESIDENT :—"It is not a point of order."

Mr. ALLADI KRISHNASWAMI AYYAR :—"When the time comes when the Advocate-General will be a member of the Cabinet, he may be in a position to say more.

"If responsible people assure the Commissioner that particular persons are going to disobey an order issued under section 41, then the Commissioner of Police or a Police officer can have knowledge of the fact that an offence is going to be committed within the meaning of section 41. Therefore I am now assuming that the conditions of section 41 are satisfied.

"I do not join issue with any of the hon. Members on the side of the Opposition to the effect that it must be a matter within the knowledge of the Police officer. That is point No. 1. Secondly, it must appear to the Police officer that the offence cannot be prevented except by means of arrest. The person to whom it should appear is the Police officer. He is the sole judge under the section as to whether a person is going to commit an offence and whether it could not, otherwise, be prevented. It cannot be subject to rules by another body. That is so far as section 151 of the Criminal Procedure Code is concerned.

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"Some point was then made that the section itself is not applicable to the police in this Presidency. That was an obvious misreading of the Criminal Procedure Code by my hon. Friend with his long record of practice in the Criminal Court. It is stated that the Act shall not apply to the Commissioner of Police, in the towns of Calcutta, Madras and Bombay or the police in the towns of Calcutta and Bombay. It will be noticed by hon. Members of the House that, so far as the police in the town of Madras is concerned, the section does not say that it does not apply to the police in the town of Madras. That is one point which was obviously overlooked by my hon. Friend on the opposite site. . ."

MR. R. SRINIVASA AYYANGAR :—"The hon. Member is reading from an old book. We have the recent book."

* The hon. the PRESIDENT :—"The hon. Member can read the section to the House."

MR. R. SRINIVASA AYYANGAR :—"It extends to the whole of British India. It shall not apply to the Commissioner of Police in the towns of Calcutta, Madras, and Bombay or the police in the towns of Calcutta and Bombay."

MR. ALLADI KRISHNASWAMI AYYAR :—"I am much obliged to my hon. Friend for the interruption. He is only re-enforcing my point. The second part of the section says it does not apply to the police in Calcutta and Bombay. Calcutta and Bombay do not include Madras. Therefore, the provisions of the Criminal Procedure Code do apply to the police in the town of Madras. There is no point in the statement that section 151 of the Criminal Procedure Code does not apply to the town of Madras."

"Then there is one other point, legal point, referred to by some hon. Member. That is that the Commissioner of Police is not a magistrate and cannot invoke any of those provisions, if he is not a magistrate, under section 151 so as to enable him to release the persons from custody. (Voices :—That point was not stressed). I thought that point was referred to by one hon. Member of the House. There is a section of the Police Act which says that the Commissioner is a Presidency Magistrate and all the provisions apply to him as Presidency Magistrate. Section 1 only exempts the operation of the Criminal Procedure Code only in his capacity as a Commissioner and not in his capacity as magistrate under the Criminal Procedure Code."

* The hon. Khan Bahadur SIR MUHAMMAD USMAN SAHIB Bahadur :—"Mr. President, Sir, as usual, police have been greatly criticised by our friends opposite. Our memory is short; we have forgotten what took place on 3rd February 1928. It is to prevent the repetition of the occurrences of last year that we arranged for an efficient police bandobust on the 18th of this month. Instead of being thankful to the police for what they have done, instead of feeling grateful to the Government for giving absolute liberty to every one to do as he liked on the 18th of this month—it was a normal day when everybody did what he wanted to do—criticisms, hostile criticisms are offered here against the police. I rise from my seat here to thank Mr. Cunningham, for the efficient police arrangements that he has made on the 18th instant."

MR. P. C. VENKATAPATI RAJU :—"A point of order, Sir. We are prevented from making any comment on the action of the police on the 18th instant. We should confine ourselves to the arrest of the leaders. Is the hon. Member relevant in referring to that point?"

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* The hon. the PRESIDENT :—" I expect the hon. Member to come to the action of the Police on the 17th."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" With regard to what took place on the 17th, our friends who were arrested came to Madras, it is said, to take part in a peaceful hartal. We all know what crimes are committed and what disturbances are created in the name of peaceful hartal. Police arrangements were made to see that no such things happened. Everything was done to preserve peace and order in the city. It is a matter known to many people that some of the leaders saw the Commissioner of Police and gave notice to him that the boycott procession would follow a certain route. The Commissioner of Police did not object to the route given to him by the leaders but he gave directions that the boycott procession should not go towards the harbour. The Police officer who arrested these gentlemen and the Commissioner of Police had definite knowledge that the persons who were arrested were going to. . ."

Mr. BASHEER AHMAD SAYEED :—" Is the hon. Member entitled to misrepresent facts ?"

* The hon. the PRESIDENT :—" He is representing facts according to his lights. (A voice :—Poor lights.)"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The police officer who arrested these gentlemen and the Commissioner of Police had definite knowledge that these persons were determined to disobey the directions issued under section 41 of the City Police Act that the boycott procession should not go beyond the Cupid Bow towards the harbour. Some people who telephoned to the Commissioner of Police were clearly told that he was not going to allow the boycott procession to go to the harbour. He also made it clear to those that saw him. (Voices :—Why not ?) Because, people welcoming the Commission were in the harbour, and there would be a collision if the boycott procession were to go there. . ."

The hon. the PRESIDENT :—" I request the hon. Member not to mind any questions that are put to him ; I request also the opposition not to interrupt the speech of the hon. the Home Member."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" As I said, Sir, the police had definite knowledge that these persons were going to disobey the orders issued under section 41 of the City Police Act that the procession should not go beyond the Cupids Bow towards the harbour. Having regard to the emergency of the situation both the police officer who arrested these persons and the Commissioner of Police felt that there was no other method of preventing the commission of the offence than by arrest. Therefore the Police had to take this step. As pointed out by the hon. the Advocate-General, the course taken by the Commissioner of Police is absolutely legal. There was no illegality and the circumstances of the case justify the course that was taken by the Commissioner of Police. (Voices :—Thank him.) I have already thanked the Commissioner of Police for what he did. I have nothing more to add."

Mr. A. RANGANATHA MUDALIYAR :—" I move, Sir, that the question be now put."

Mr. G. HARISARVOTTAMA RAO :—" I second it."

The closure motion was put and carried.

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* The hon. the PRESIDENT :—" I now put the adjournment motion to the vote of the House. The question is that the business of the House be adjourned."

The motion was declared lost. A poll was demanded and the House divided as follows :—

Ayes.

- | | |
|-----------------------------------|--|
| 1. Mr J. Bheemayya. | 19. Mr. C. Ramasomayajulu. |
| 2. " P. C. Venkatapati Raju. | 20. " T. Adinarayana Chettiyar. |
| 3. " K. Srinivasa Ayyangar. | 21. " P. Bhaktavatsulu Nayudu. |
| 4. " Sami Venkatachellam Chetti. | 22. Sriman Biswanath Das Mahasayo. |
| 5. " S. Satyamurti. | 23. Mr. A. Kaleswara Rao. |
| 6. " J. A. Saldanha. | 24. " K. Uppi Sahib. |
| 7. " G. Harisaryottama Rao. | 25. " M. Narayana Rao. |
| 8. " Basheer Ahmad Sayeed Sahib. | 26. " C. N. Muthuranga Mudaliyar. |
| 9. " C. S. Govindaraja Mudaliyar. | 27. " C. Marudavanam Pillai. |
| 10. " Abdul Hamid Khan Sahib. | 28. " K. V. Krishnaswami Nayakar. |
| 11. " L. K. Tulasi Ram. | 29. " C. Venkatarangam Nayudu. |
| 12. " K. V. R. Swami. | 30. " B. Venkatratnam. |
| 13. " D. Narayana Raju. | 31. " A. Ranganatha Mudaliyar. |
| 14. " B. S. Mallayya. | 32. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 15. " K. R. Karant. | 33. Mr. C. K. Parthasarathi Ayyangar. |
| 16. " K. Madhavan Nayar. | 34. " R. Nagan Gowda. |
| 17. " P. Anjaneyulu. | 35. " U. Gopala Menon. |
| 18. " A. Parasurama Rao Pantulu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 26. Mr. W. P. A. Soundarapandia Nadar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 27. " S. Subrahmanya Mooppanar. |
| 3. " Mr. T. E. Moir. | 28. " Daniel Thomas. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 29. " S. V. Vanavudaya Goundar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 30. " C. E. Wood. |
| 6. " S. Muthiah Mudaliyar. | 31. " W. O. Wright. |
| 7. " Dr. P. Subbarayan. | 32. " F. E. James. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 33. " R. J. C. Robertson. |
| 9. " Hilton Brown. | 34. " H. F. P. Hearson. |
| 10. " H. A. Watson. | 35. Rajkumar S. N. Dorai Raja. |
| 11. " C. A. Souter. | 36. Khan Bahadur P. Khalifulla Sahib Bahadur. |
| 12. " S. H. Slater. | 37. Mr. B. Ramachandra Reddi. |
| 13. " A. McG. G. Tampoe. | 38. Rao Bahadur Sir A. P. Patro. |
| 14. " C. W. E. Cotton. | 39. Diwan Bahadur P. O. Ethirajulu Nayudu. |
| 15. " V. Ch. John. | 40. Mr. P. T. Rajan. |
| 16. " M. A. Manikkavelu Nayakar. | 41. " T. K. Chidambaramatha Mudaliyar. |
| 17. " Syed Tajuddin Sahib. | 42. Rao Bahadur S. Elleppa Chettiyar. |
| 18. " P. J. Gnanavaram Pillai. | 43. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 19. Zamindar of Singampatti. | 44. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 20. Subadar-Major S. A. Nanjappah Bahadur. | 45. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 21. Mr. K. Krishnan. | 46. Rao Bahadur K. Sitarama Reddiyar. |
| 22. " N. Siva Raj. | 47. Zamindar of Mirzapuram. |
| 23. " M. V. Gangadhara Siva. | 48. Kumararaja of Venkatagiri. |
| 24. Rao Sahib L. C. Guruswami. | 49. Mr. A. V. Bhanoji Rao. |
| 25. Mr. V. I. Muniswami Pillai. | |

Neutral.

1. Mr. S. Venkiah.

Ayes 35. • Noes 49. Neutral 1.

The motion was lost.

VII—cont.

THE MIRZAPURAM AND PEDAGONNUR IMPARTIBLE ESTATES BILL—cont.

4-45
p.m.

* The hon. the PRESIDENT :—" The Council will now resume the consideration of Mr. Biswanath Das motion for the postponement of the consideration of the items relating to the Impartible Estates Bill."

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APPENDIX I.

[Vide answer to question No. 1412 asked by Mr. G. Harisavottama Rao at the meeting of the Legislative Council held on the 25th February 1929, page 15 supra.]

In November 1926, I received from my Deputy Registrar at Bellary a proposal for the first time to register a land mortgage bank at Kurnool together with the draft by-laws as accepted by the promoters at a meeting held on 31st October 1926. The area is totally unsuitable to start a land mortgage bank in Kurnool at present for the following reasons:—

(a) Co-operatively it is a backward area and arrears are heavy in the co-operative credit societies in the locality. There can be no arrears if a land mortgage bank is to be a success.

(b) There is little cultivation in the immediate neighbourhood of Kurnool and much of that is dry. Much of the land is of very little value and crop prospects fluctuate greatly and there is consequently great risk of delay and failure of repayments.

(c) There does not seem to be any adequate supply of persons capable and willing to run such a society and to do the hard work of innumerable careful enquiries in villages while there are very few villages within five miles of Kurnool and no prospects of the land mortgage bank growing to such a size as to be able to pay for an adequate staff to make the enquiries.

(d) The prospect of selling debentures is remote. They estimated a sale of 35,000 debentures of which 27,000 was to be taken up by four institutions. Of these institutions only one was empowered so to invest its funds and that only to the extent of 3,000. The 35,000 thus at once dwindled to a possibly 11,000 and the probable figure is consequently much lower.

(e) What enthusiasm there is, is confined to a very few persons and even in January 1927 they telegraphed to me that enthusiasm was waning. Land mortgage banks cannot be founded on such a transient sentiment.

There is no prospect of having a successful land mortgage bank in such a place in the near future.

APPENDIX II.

[Vide answer to question No. 1416 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 25th February 1929, page 17 supra.]

Instructions governing the location, hours of sale, etc., of liquor shops.

I. Questions relating to the number and location of abkari and opium shops (except toddy shops) in the Madras City and 15 major municipalities in the mufassal are decided by Excise Licensing Boards subject to the control of the Commissioner. In other areas such questions should be decided by Collectors after obtaining the advice of the Excise Advisory Committee for the Revenue Divisional area if one exists and after ascertaining local opinion official and non-official from the District Superintendent of Police, local bodies, planters, railway authorities and other

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employees of labour and forest officers where necessary. The same procedure should be followed in respect of toddy shops in the major municipalities for which Excise Licensing Boards have been constituted and the Collector may also consult the Licensing Boards on any question in respect of such shops. No new shop shall be opened, or shops in excess of 5 per cent closed in a local area in any one year without the sanction of the Commissioner. No change in the number or location of shops affecting the interest of adjacent shopkeepers shall be made during the currency of a lease except with the special sanction of the Commissioner. A Tahsildar may at any time permit or order the transfer of a shop within the limits notified for the shop in the sale notice.

II. *Opening, transferring and closing of shops.*—(1) Licences should be allotted to villages and quarters of towns in which it has been ascertained that there is a reasonable demand by a considerable part of the population.

(2) *Opening shops.*—No new shop may be opened except for definite reasons such as the establishment in a new locality of a working population, to meet whose demands the shop is necessary. Whenever it is proposed to open a new shop in an area for which there is neither an Excise Licensing Board nor an Advisory Committee, notice of the fact must be published in the district gazette and posted in the village or quarter of the town concerned six months before the commencement of the lease for which it is proposed to open it and the opinion of the inhabitants on the proposal should be ascertained by a superior officer by local enquiry.

The number of shops for the sale of foreign liquor for consumption on the premises should not be increased without very strong reasons in order that there may be no interference with country liquor vendors.

(3) *Transferring shops.*—The question whether a change of locality of a shop from one village to another amounts to opening a new shop will depend on the proximity of the two villages to each other. If the shop is removed to a new neighbourhood and the change affects the interests of the shopkeepers and the employers of labour and others who were not formerly in its immediate vicinity the removal amounts to opening a new shop. Each case must be decided by the local officers on its own merits.

As a rule, shops situated along the borders of an Indian State should not be moved nearer the border.

In the case of shops within five miles of the Mysore frontier, no changes in location within that area should be made without reference to the Mysore Government.

The location of liquor shops within a mile of the Travancore border is prohibited.

(4) *Closing shops.*—When it is proposed to close a shop the danger of driving people to obtain liquor by illicit means, or to take to other intoxicants which may be worse for them than that sold in the shop to be closed, must be very carefully considered. So long as no such danger exists, closure may proceed, but it is useless to attempt to introduce practical prohibition in any area as long as there are several regular consumers, and unless there is a strong force of public opinion among the consuming classes in the neighbourhood in favour of closure; otherwise, the result of the closing of the source of licit supply will almost certainly be a great increase of excise crime without any material reduction in the actual consumption.

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In rented areas where outstills are allowed, Collectors should endeavour to reduce the number of stills as much as can be done without such closure resulting in illicit distillation.

III. *Sales of depots*—The number and sites of depots will be fixed by the Collector in consultation with the Assistant Commissioner; they should be established at such places as are most convenient for the supply of shops. The Collector may order the transfer of a depot from one locality to another or its closure or the opening of new depots; but such changes must not be made during the currency of an arrack lease without the previous sanction of the Commissioner.

IV. *Location of shops*—(a) *Determination of sites*.—So far as possible, arrangements should be made for the permanent location in suitable sites of shops which change from year to year. This definite location can sometimes be secured in a village by setting aside a suitable piece of poramboke land, the temporary use of which will be sold with the licence. In towns, the best course to pursue is for the Collector to agree with the owner of a suitable house that the licence shall be attached to his house so long as he continues to let it at a reasonable rent to the purchaser of the licence in auction. When this is not feasible, a lease of premises, and in extreme cases acquisition and the construction of a building on behalf of Government, may be resorted to. In the latter case, however, the sanction of the Commissioner must be obtained. Pending the settlement of definite sites, reasonable and well-defined areas should be selected, and it should be notified that the shop may be opened in any unobjectionable site in the notified area; the area should however be as restricted as is compatible with providing the licensee with a reasonable choice of sites and should, if possible, be so defined as not to contain any sites to which objection can be taken.

(b) *Essentials of sites to be selected*.—The sites selected should be so far public that persons entering the shops do not escape observation, but not so prominent as to compel attention. It is desirable, where possible, that they should be on Government land. The shops sanctioned for the supply of a village should be located within a furlong of the village-site. Town shops must be placed in the quarters in which the demand for them exists. Proximity to a police station is desirable.

(c) *Sites to be avoided*.—Rural shops must not be located without the special permission of the Collector within a furlong of a metalled road. When shops on a road-side are sanctioned in rural areas, the minimum distance between such shops should ordinarily be five miles. So far as possible, proximity to the following are to be avoided: places of worship, schools, hospitals, factories, bathing places, cherries or other localities inhabited by the members of the depressed classes and other places of public resort. Generally speaking, business under each licence must be done in a separate place unless all the licences are for consumption off the premises.

V. *Hours of sale, etc.*—(1) No arrack shop, foreign liquor tavern or beer shop shall be opened before 10-30 a.m. in Madras Town and before 9-30 a.m. elsewhere. Toddy shops in Salem Town shall not be opened before 9 a.m. In Madras Town specified toddy shops in the neighbourhood of mills shall not be opened before 7-30 a.m. No other shop shall be opened before sunrise. Arrack depots shall be kept open from 7 a.m. to 12 noon and from 2 p.m. to 6 p.m.

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(2) (a) No shop or depot shall be kept open after the hours prescribed below except under special authority :—

Arrack shops and foreign liquor taverns in Madras Town.	9 p.m.
Other kinds of shops in Madras Town and shops of all kinds elsewhere	8 p.m.
Depots	6 p.m.

Collectors may on the report of the Police or for other sufficient reasons order the closure of any shop at an earlier hour if they consider such a course to be advisable in the interests of the public. The Commissioner may for sufficient reasons order the general closure of any kind or kinds or all kinds of licensed premises at any earlier hour than those prescribed above.

(b) With the previous sanction of the Commissioner, Collectors are authorized (i) to notify at the time of the auction that specified shops will be closed on the occasion of specified festivals, and that the hours of sale at specified shops which are in the neighbourhood of a market or shandy will be limited on market days generally or that they will be liable to limitation on such occasions by orders issued during the currency of the lease, if it is found that the shops promote drunkenness; (ii) to order the closure of specified shops in the neighbourhood of factories, mills and other places, where large numbers of operatives assemble, from 11-30 a.m. to 1-30 p.m. on week days, on the afternoons of pay days and at all hours on Sundays except between 11-30 a.m. and 4 p.m. A special condition embodying these restrictions or liabilities will be inserted by the Collector in the licences granted to the renters of all such shops.

Note.—In Madras Town, specified shops in the neighbourhood of mills will be closed on ordinary working days from 11-30 a.m. to 1 p.m., on pay days from 11-30 a.m. to 1 p.m. and from 4 p.m. to 8 p.m. (to 9 p.m. in the case of arrack shops), and on Sundays and on such mill holidays as are festival days at all hours except between 11-30 a.m. and 4 p.m.

(c) The closing hour of hotels in the Nilgiris is 10 p.m.

(d) The closing hour for refreshment rooms, hotels and hotel bars in Madras Town is 10 p.m. The Collector of Madras and the Commissioner of Police, however, may jointly permit the extension of the time to 11 p.m.

(e) 9 p.m. is fixed as the general closing hour in the case of Railway refreshment rooms. Collectors are authorized to note in the licences the particular hours after 9 p.m. during which such licensed premises may be kept open for the sale of liquor to bona fide travellers only with reference to arrival and departure of trains. Collectors may alter these hours during the currency of the licence with reference to any alteration in the Railway Time Tables.

(3) Depots and shops must be closed, if the Collector so orders, while a regiment or detachment of soldiers is passing or is encamped in the vicinity. Collectors or Divisional Officers shall have power also temporarily to close any shops in times of religious excitement or disturbance. Every depot and shopkeeper shall close his depot or shop when a riot or disturbance occurs or appears likely to occur in the neighbourhood.

(4) No woman shall be employed in any abkari shop for the sale of liquor without the special permission of the Collector unless she be a member of the renter's family.

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(5) (a) No liquor shall be sold or given—

I. Except at shops specially approved by the General Officer Commanding the Division (or independent Brigade) or the Officer Commanding the Cantonment or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local excise authorities and specified in the licence—

(1) to sailors of the Royal Navy, soldiers and members of their families ; or

(2) to any other person living in barracks ;

II. (1) to persons whom a vendor knows, or has reason to believe, to be camp followers, i.e., any class of followers (other than private servants) whether on or off duty, who have a right to be in cantonments ;

(2) to Policemen, Excise officers and Railway servants when on duty ; or

III. in any circumstances to any—

(1) European vagrant under escort of the Police ;

(2) insane person ;

(3) person known or believed to be intoxicated ; or

(4) person known or suspected to be about to take part in a riot or disturbance of the public peace or other crime.

(b) No liquor shall be sold or given in any circumstances to any child or young person under eighteen years of age or adult female.

(c) No child, young person under eighteen years of age or adult female shall be admitted into the premises of any shop in which consumption is allowed on the premises subject to the exception in condition (4).

NOTE.—(1) The restrictions in I and II do not apply to soldiers, their families and followers when they are absent on leave from their regiments.

(2) The restrictions in clauses (b) and (c), so far as they relate to adult females, do not apply to foreign liquor licences issued on fixed fees.

(6) No liquor in excess of the quantities prescribed for possession without a licence shall be issued to any person at any one time from any licensed premises without a valid permit, nor shall liquor be sold at wholesale depots in quantities less than the minima prescribed.

(7) Only such weights and measures as may from time to time be prescribed by the Commissioner of Excise shall be possessed or used on any licensed premises, and they shall be tested and stamped by the stamping establishment of the district if the Collector shall so direct. Short measurement or short weightment is strictly forbidden.

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APPENDIX III.

[Vide answer to question No. 1426 asked by Mr. K. Madhavan Nayar at the meeting of the Legislative Council held on the 25th February 1929 page, 22 supra.]

Statement showing the scales of pay of the teachers employed in the elementary schools under the management of the several taluk boards in the Malabar district.

Scales of pay.

RS.

Calicut Taluk Board—

Secondary grade trained teachers	35—1½—50—1—60
Secondary trained mistress	30—1—40
Other teachers	40—1½—70
	Pay ranging from Rs. 15 to Rs. 25.

Chirakkal Taluk Board—

Secondary grade trained teachers (certificated)	35—1—50
Secondary grade trained teachers (uncertificated)	30
Trained higher elementary and lower elementary trained teachers, certificated	16½—25
Trained higher elementary and lower elementary trained teachers, (uncertificated)	15
Untrained teachers	13

Ernad Taluk Board—

Graded pay ranging from Rs. 15 to Rs. 40.
There are also two teachers on Rs. 10.

Palghat Taluk Board—

Graded pay ranging from Rs. 15 to Rs. 42.
There are six teachers on Rs. 10.

Ponnani Taluk Board—

Boys' schools ... A few teachers (5) on Rs. 40—1—45. The others are on graded scales of pay ranging from Rs. 12 to 30. There is one teacher on Rs. 8.

Girls' schools ... Graded scales of pay ranging from Rs. 20 to Rs. 55.

Walluvanad Taluk Board—

Graded scales of pay ranging from Rs. 15 to Rs. 60.
There are a few posts on Rs. 10, Rs. 8 and Rs. 6.

Malabar District Board—

(Old Wynaad Taluk Board)—

Two teachers on Rs. 35—35—1½—50—1—60.

Three teachers on Rs. 25—1—35.

Others are on graded scales of pay ranging from Rs. 14 to Rs. 25.

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APPENDIX IV.

[Vide answer to question No. 1435-A asked by Mr. C. V. Venkataramana Ayyangar at the meeting of the Legislative Council held on the 25th February 1929, page 30 supra.]

G.O. No. 3947, L. & M., 1st October 1928.

READ—the following paper :—

G.O. No. 1634, P.H., dated 14th September 1926.

Order—No. 3947, L. & M., dated 1st October 1928.

It has come to the notice of Government that a number of posts under local boards or municipal councils in respect of which certain qualifications have been prescribed, are held, and in some instances have been held for long periods by unqualified men. The Government are advised that the payment of salary to such men from the funds of local bodies is illegal and is liable to surcharge.

2. All chairmen of municipal councils and presidents of local boards are requested to scrutinize the personnel of their staff and discharge from their service all unqualified men except those whom for special reasons or on account of long and good service, it is considered desirable to retain. In such cases chairmen and presidents should apply for sanction for the retention of the subordinates concerned with full reasons for such retention. A certificate should be attached to each pay bill to the effect that all posts for which qualifications have been laid down are held by duly qualified men or men who have been exempted by competent authority.

(By order of the Government, Ministry of Local Self-Government)

C. W. E. CORTON,
Secretary to Government.

To all Chairmen of Municipal Councils.
 „ all Presidents of District Boards.
 „ all Presidents of Taluk Boards.
 „ all Collectors.
 „ the Examiner of Local Fund Accounts.
 „ the Inspector of Municipal Councils and Local Boards.
 „ the Director of Public Health.
 „ the Sanitary Engineer to Government.

APPENDIX V.

[Vide answer to question No. 1439 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 25th February 1929, page 33 supra.]

Extract of G.O. No. 38, Development, dated 7th January 1929.

6. That both Todar and Hoshabettu reserves should be handed over to Panchayat management.—The Government are unable to comply with the request.

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APPENDIX VI.

[Vide answer to question No. 1448 asked by Mr. D. Narayana Raju at the meeting of the Legislative Council held on the 25th February 1929, page 43 supra.]

Letter from the Chief Engineer for Irrigation to the Secretary to Government, Public Works and Labour Department, dated 9th June 1927, No. 66/27-C-2.

[Drainage—Kistna district—Ellore taluk—Collair Lake region—Tammileru and Mondikodu drains.]

I return herewith the petition submitted by the ryots of Kovvali, Chatraparru, etc., villages of the West Godavari district and report as follows.

2. The petitioners' villages and their wet lands are bounded by the Ellore canal on the north, the East Tammileru and the Mondikodu drains on the east, the Collair lake on the south, and the West Tammileru on the west. Thus with every heavy rain and flood, the country between the two arms of the Tammileru is flooded especially when the Collair lake is also full, and there is loss of crop. The ryots request that these drains should be widened, deepened, and provided with banks to hold the floods within bounds. Remedial measures to prevent the submersion were under consideration for a number of years and in different forms as explained in the following paragraphs.

3. *East Tammileru and Mondikodu drains.*—In 1911 a combined scheme to improve the East Tammileru and Mondikodu drains, and the complaint that the Chataparru escape in the Ellore canal was not worked as freely as was desirable were investigated. The improvements to the drains to make them effective as flood carriers were estimated to cost over $3\frac{1}{4}$ lakhs, a large portion of which was for land compensation. The proposals were examined and eventually restricted to works found absolutely necessary for proper water regulation in the Ellore canal and for working the Chataparru escape whenever found necessary. As this proposal necessitated the transfer of the source of irrigation of about 1,271 acres from the East Tammileru to the Chataparru channel and as the interested ryots did not agree to it but were willing to agree to the occasional submersion in preference to the transfer proposed, the scheme was dropped with the approval of the Collector.

4. *West Tammileru.*—The question of diverting this drain was considered in 1915, when Colonel Ellis thought that, by the improvements proposed, the scene of damage would only be shifted to other places where Government would be liable to greater damage by new works. The proposal was therefore dropped.

5. There was another proposal to construct a reservoir in the upper reaches of the Tammileru to serve as a flood moderator. After a preliminary inspection, the Superintending Engineer reported on a possible site and estimated the cost of the reservoir to store approximately 1,205 millions cubic feet, at about Rs. 10 lakhs. The effect of such a storage reservoir as a flood moderator was examined and it was found that the relief afforded by the reservoir of this capacity would be practically nil and that a reservoir of 2,000 millions cubic feet capacity would give some relief if the safe maximum permissible discharge through the East and West Tammileru arms could be taken as

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3,000 cusecs. Correct information on the latter point was not available. Even this proposal was found to be prohibitively costly on account of the large extent of very valuable wet lands and the village-sites that would be submerged as a result of the increased storage. This proposal was also dropped.

6. Mr. Morgan in his report on irrigation projects has also condemned this proposal.

APPENDIX VII.

[Vide answer to question No. 1449 asked by Mr. C. Ramasomayajulu at the meeting of the Legislative Council held on the 25th February 1929, page 44 supra.]

Letter from the Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated 14th January 1929, No. 2719/28-C.E.P.

[Legislative Council Question No. 902—Second-crop channels in the Godavari Eastern Delta]

The answer to clauses (a) and (b) of Question No. 902 is in the affirmative.

2. As regards clause (c) the Superintending Engineer reports that the matter has already been taken up by the local officers and that it is proposed to allow water for second crop for lands affected by heavy rains and Yeluru floods, from the channels concerned as far as could be conveniently arranged. Copies of letter No. 3292-M/D-1, dated 28th November 1928, from the Executive Engineer, Godavari Eastern Division, to the Collector and the Collector's letter No. L. Dis. 1818/28, dated 17th December 1928, on the subject are enclosed.

ENCLOSURES.

(1)

Letter from the Executive Engineer, Godavari Eastern Division, to the Collector, East Godavari, dated 27th/28th November 1928, No. 3292-M/70/D-1.

[Water-supply—Second crop, 1929—Additional channels recommended to be kept open owing to recent floods.]

With reference to the petitions on the above subject, I have to report there has been submersion with consequent loss of crops on many channels in the Eastern delta but when the loss is not a large percentage of the ayacut, I have not considered the question of opening a closed channel, on account of the large demand for opening closed channels this year and the difficulty in deciding what water there will be available for irrigating crops in April towards the end of the second-crop season.

As you will be personally aware the worst submersion has been in the neighbourhood of the West Yeluru and Biccavole drains, a large proportion of which lands draw their water for irrigation from Samalkot canal. This canal is a high level one and is the most difficult to supply with water for second-crop purposes, especially near Samalkot lock and lower down. In

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this connexion I would call your attention to the fact that the canal in this area became dry towards the end of March 1927 and one cannot predict that the same will not occur again in 1929.

In view of this, I consider it best that under all closed channels under Samalkot canal that are allowed to be opened for second crop the ryots should cultivate only gingelly, with which crop they will get some return, whatever water they receive, whilst with dalva unless the last wetting is given, the return is almost nil. The question of what crop the ryots must cultivate, I leave for you to decide but I will not guarantee I can supply sufficient water for dalva or any water at all for such lands after the middle of March.

On these conditions, I recommend that the following channels be kept open as the worst loss is under these channels :—

1. Rameswaram.
2. Venkatakrishnapuram.
3. Ganganapalli.
4. Chigida.

In order to try and augment the supplies to Rameswaram and Venkatakrishnapuram channels, I am prepared to allow the bund across the West Yeluru drain, as petitioned for, on a deposit of Rs. 150 from the concerned villagers to ensure its removal by the 15th May 1929. I cannot say whether any extra supply can be obtained this way in April but the ryots may try it.

There has also been submersion in the tail end lands of No. 5 and No. 6 channels of Samalkot canal and the ayacut under Vetlapalem dam. I am however unable to recommend opening any more channels under this canal unless you are prepared to close No. 3 side channel and the direct sluices lower down items 45 to 49 in the gazetted programme of open channels.

Provided these are closed, I recommend that the tail end lands only under No. 5 side channel and the ayacut under Vetlapalem weir be opened.

As regards Cocanada canal, I recommend the following channels be opened :—

1. Cocanada Irrigation channel.
2. Repur channel.
3. Aratlakatta lanka channel.

The lands under Jangaladoddi, Pagadi, Pedapurdi, etc., channels have suffered considerable loss due to submersion by the Biccavole drain. These channels form part of the Tossipudi North side channel system which is gazetted open for this second crop. In experience if the whole ayacut cultivates second crop the tail end lands get no water at all and I recommend that no water is allowed to be taken for dalva under this system higher up the channels than where they cross the Chintapalli-Biccavole road. Only existing garden crops such as sugarcane, etc., may be allowed to take water.

Apart from the above, I also recommend the following direct sluices with only small ayacuts be kept open :—

1. Kovvur-Manjair junction canal, 33 miles 74 chains.
2. Bank canal, 35 miles 60 chains left.
3. Do. 38 miles 30 chains left.

There have been applications for some closed channels to cultivate gingelly only till February 28th, but I am not recommending any of these in view of the fact that all possible water should be conserved to supply the additional channels.

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(2)

Letter from the Collector of East Godavari, to the Superintending Engineer, Waltair Circle, dated 17th December 1928, No. L. Dis. 1818.

I have issued orders to allow water for second crop for lands affected by heavy rains and Yeluru floods from the channels concerned as far as could be conveniently arranged.

APPENDIX VIII.

[Vide answer to question No. 1451 asked by Mr. C. V. Venkataramana Ayyangar at the meeting of the Legislative Council held on the 25th February 1929, page 45 supra.]

Letter from the Superintending Engineer, Coimbatore Circle, to the Chief Engineer for Irrigation, dated 11th October 1928, No. 336-I/58.

The Executive Engineer, Coimbatore Division, was asked to consult the Collector of Coimbatore and Mr. Vellingiri Goundar, the Secretary of the Ryots' Sangam, in the matter and submit two lists, one to show the ruined or breached tanks the restoration of which will be remunerative or can be treated as famine works and another to show whether there are possibilities to construct any new tanks or to open any irrigation channels without prejudice to existing irrigation. As a result of the consultation, the Collector has replied to the Executive Engineer, Coimbatore Division, that there are no works for investigation and inclusion in either of the lists mentioned above in the following taluks of the Coimbatore district:—

- | | |
|-------------------------|-----------------|
| (1) Kollegal. | (6) Erode. |
| (2) Bhavani. | (7) Dharapuram. |
| (3) Gobichettipalaiyam. | (8) Coimbatore. |
| (4) Avanashi. | (9) Palladam. |
| (5) Pollachi. | (10) Udamalpet. |

2. The Secretary of the Ryots' Sangam has sent a list showing the irrigation works for which repairs and improvements were recommended by the Ryots' Sangam. As regards each of the works enumerated in that list, the Executive Engineer, Coimbatore Division, has replied to the Secretary in his letters Nos. 3671 M. of 25th September 1928 and 3679 M., dated 26th September 1928 (copies enclosed).

ENCLOSURES

(1)

Letter from the Executive Engineer, Coimbatore Division, to the Honorary Secretary, Ryots' Sangam, Coimbatore, dated 25th September 1928, No. 3671-M.

With reference to your No. 3 R.S. of 1928, dated 7th July 1928, I have the honour to inform you that the full supply depth of Chitrachavadi Raja voikal in rear of the head sluice is 4.6 feet and not 5 feet as stated by you and the silting up which has occurred will be cleared during the next closure period.

2. The question of removal of silt from the beds of Narasampathi, Krishnampathi, Selvampathi and Komarasami tanks was discussed in the last Irrigation Conference at Coimbatore and it was then decided that the

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work should be undertaken by the Revenue Department on condition that the ryots contribute 50 per cent of the estimated cost. As the estimate will have to be prepared by the minor irrigation staff, please address the Collector on this subject.

3. Parayankuttai, Konarampathi and Ammankolam in Coimbatore taluk and Annur tank in Avanashi taluk are minor irrigation sources which are under the control of the Revenue Department. You may address the Collector about their improvements and repairs.

(2)

Letter from the Executive Engineer, Coimbatore Division, to M.R.Ry. V. C. Vellingiri Goundar, Secretary, Ryots' Sangam, Coimbatore, dated 26th September 1928, No. 3679-M.

As the suggested scheme of improving the Vairamangalam tank cannot be considered until the resluicing of Tadpalli and Arkenkottah channels are completed, I regret that no action can be taken on your reference at present.

APPENDIX IX.

[Vide answer to question No. 1455 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 25th February 1929, page 49 supra.]

Letter from the Board of Revenue, Land Revenue and Settlement, Reference No. C. 7962/28-1, dated 29th September 1928.

Read—the following paper :—

Memorandum from Government, Revenue Department, No. 3539-A/28-1, dated 28th September 1928.

Reference.—With reference to the memorandum from Government read above, the Board submits that an application for the payment of arrear jamabandi allowance due to the menials in the Gudiyattam taluk for fasli 1336 was received from the Collector of North Arcot and sanctioned by the Board in its Proceedings Routine No. 6192, dated 26th September 1928. Copies of the Collector's letter and the Board's Proceedings are enclosed.

2. The reasons for the delay have been explained in the Collector's letter and he has proposed to take disciplinary action against those responsible for it in the taluk office. The Board presume that most of the menials would be poor and belong to the depressed classes as is the case elsewhere in the Presidency.

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Letter from M.R.Ry. Rao Bahadur A. Appadurai Pillai Avargal, M.A., Acting Collector of North Arcot, Reference No. C. 1669/28, dated 29th August 1928.

[Special Funds—Gudiyattam taluk—Village menials—Jamabandi allowance—Fasli 1336—Claim over one year old—Special sanction sought for.]

The Tahsildar of Gudiyattam has not disbursed to the village menials in the taluk the jamabandi allowance for fasli 1336 sanctioned in paragraph 5 of G.O. No. 1231, Revenue, dated 30th July 1926, communicated with B.P. Press No. 46, dated 3rd August 1926, though the jamabandi of the taluk

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was commenced in March 1927 and completed in April 1927. This fact was brought to the notice of the Board in my letter No. 5283/28-A-1, dated 12th July, 1928, in connexion with the explanation called for in the Board's Reference No. C. 4337/28-1, dated 14th June 1928, for the large savings under jamabandi allowance on 31st March 1928. Out of 136 bills 112 were received in the Taluk office, Gudiyattam, in May 1928 and the remaining 24 bills in June 1928. The total claim on account of jamabandi allowance for fasli 1336 amounts to Rs. 772-8-0. The allowance relating to the villages settled in March 1927 fell due on 1st April 1927 and that for the villages settled in April 1927 on 1st May 1927.

2. The orders contained in paragraph 5 of G.O. No. 1231, Revenue, dated 30th July 1926, have not been communicated by the Tahsildar of Gudiyattam to any of the village officers of his taluk with the result that no bills were submitted by them claiming the jamabandi allowance on behalf of the village menials. On a reference from this office, the Tahsildar obtained and submitted them for sanction. I have satisfied myself that the claim for Rs. 772-8-0 has been established and that the amounts specified in the bills had not been disbursed previously. I request that in the circumstances explained, the Board may be pleased to sanction under section 18 of the Special Funds Code the payment of the jamabandi allowance of Rs. 772-8-0 to the village menials of Gudiyattam taluk for fasli 1336.

3. Necessary budget provision has been made in the revised estimate for 1928-29 and the budget estimate for 1929-30 submitted to the Board on 14th August 1928.

4. I have taken the explanation of the Tahsildar, the two Head Accountants and the clerks who have contributed to this inordinate delay and shall deal with them suitably.

Read—the following :—

*Letter from the Board of Revenue, Land Revenue and Settlement,
Reference No. C. 7962/28-3, dated 12th October 1928.*

Read—the following :—

Letter from M.R. Ry. Rao Bahadur A. APPADURAI PILLAI Avargal, M.A.,
Collector of North Arcot, No. L. Dis. 11977-28, dated 7th October 1928.

[Village menials—Arcot, North—Gudiyattam taluk—Jamabandi allowance—
Fasli 1336—Delay in payment.]

Board's Reference No. C. 7962/28-1, dated 29th September 1928.

Of the 309 menials for whom the payment of the jamabandi allowance for fasli 1336 was recently sanctioned by the Board, 82 are caste Hindus and the rest are Adi-Dravidas. The servants get a pay of Rs. 7-8-0 per mensem each as village menials and some of them own also small extents of lands. They are poor no doubt but cannot be considered 'very poor.'

Reference.—Submitted to Government in continuation of Board's Reference No. C. 7962/28-1, dated 29th September 1928.

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G.O. Mis. No. 2781, Revenue, dated 27th November 1928.

In paragraph 217 of its report, dated 31st March 1920, the Salaries Committee suggested that, in all cases where travelling allowance was paid to the village officials, arrangements should be made for the money being disbursed to those to whom it was due before they returned to their villages, and, if practicable, in the presence of a superior officer (e.g.), the jamabandi officer in the case of jamabandi allowance. In paragraph 4 of G.O. Mis. No. 1958, Revenue, dated 14th August 1920, the Government remarked that they were disposed to doubt whether, if arrangements were made for the general grant of travelling allowance to village officers and if a scheme of such travelling allowance was worked out on the basis of lump sum payments which could be readily calculated, it would be necessary to adopt the suggestion of the Committee.

2. The attention of the Government has since been drawn to the delays which have occurred in the payment of jamabandi allowance to the village menials in certain taluks. They have re-examined the orders issued in G.O. No. 1958, Revenue, dated 14th August 1920, so far as they relate to jamabandi allowances and consider that the recommendation of the Salaries Committee which the Government observe, was made with the object of preventing delays on the part of the taluk staff in making payments, should be adopted in respect of jamabandi allowances.

Under the orders in paragraph 5 of G.O. No. 1231, Revenue, dated 30th July 1926, the jamabandi allowance is payable only to village menials. The Government direct that in future arrangements should be made for the disbursement of the jamabandi allowance to the village menials in the presence of the jamabandi officer as the jamabandi of each village is completed and before the menials return to their villages.

3. The Board of Revenue is requested to issue instructions accordingly.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 26th February 1929

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.

Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M.

Subbarayan, The hon. Dr. P.

Muthiah Mudaliyar, The hon. Mr. S.

Seturatnam Ayyar, The hon. Mr. M. R.

Abdul Hameed Khan Sahib Bahadur.

Abdul Razaack Sahib Bahadur, Khan Bahadur S. K.

Adinarayana Chettiyar, Bar.-at-Law, Mr. T. Anjaneyulu, Mr. P.

Appavu Chettiyar, Mr. C. D.

Arogyaswami Mudaliyar, Diwan Bahadur R. N.

Basheer Ahmad Sayeed Sahib Bahadur.

Bhaktavatsulu Nayudu, Mr. P.

Bhanoji Rao, Mr. A. V.

Biswanath Das Mahasayo, Sriman.

Chidambaranatha Mudaliyar, Mr. T. K.

Cotton, C.I.E., I.C.S., Mr. C. W. E.

Dorai Raja, Rajakumar S. N.

Ellappa Chettiyar, Rao Bahadur S.

Ethirajulu Nayudu, Diwan Bahadur P. C.

Gangadhara Siva, Mr. M. V.

Gnanavaram Pillai, Mr. P. J.

Gopala Menon, Mr. C.

Govindaraja Mudaliyar, Mr. C. S.

Guruswami, Rao Sahib L. C.

Harisaravottama Rao, Mr. G.

Hearson, Mr. H. F. P.

Hilton Brown, I.C.S., Mr.

James, Mr. F. E.

Kaleswara Rao, Mr. A.

Karant, Mr. K. R.

Khadir Mohidin Sahib Bahadur, Muhammad.

Krishnan, Mr. K.

Madhavan Nayar, Mr. K.

Mallayya, Dr. B. S.

Manikkavelu Nayakar, Mr. M. A.

Marudavanam Pillai, Mr. C.

Moidoo Sahib Bahadur, Khan Sahib T. M.

Muppil Nayar of Kavalappara *alias* Kumaran Raman.

Muthulakshmi Reddi, Dr. (Mrs.) S. (*Deputy President*).

Muthuranga Mudaliyar, Mr. C. N.

Nanjappa Bahadur, Subadar-Major S. A.

Narayana Raju, Mr. D.

Narayana Rao, Mr. Motbay.

Narayanawami Pillai, Mr. T. M.

Obi Reddi, Mr. G.

Parasurama Rao Pantulu, Mr. A.

Premayya, Mr. G. R.

Rajan, Mr. P. T.

Ramachandra Reddi, Mr. B.

Ramasomayajulu, Mr. C.

Ramaswami Ayyar, Mr. U.

Ranganatha Mudaliyar, Mr. A.

Robertson, Mr. R. J. C.

Saldanha, Mr. J. A.

Satyamurti, Mr. S.

Shetty, Mr. A. B.

Sitarama Reddi, Rao Bahadur K.

Souter, I.C.S., Mr. C. A.

Srinivasa Ayyangar, Mr. R.

Subrahmanya Mooppanar, Mr. S.

Swami, Bar.-at-Law, Mr. K. V. R.

Tajudin Sahib Bahadur, Syed.

Tampoe, I.C.S., Mr. A. McG. C.

Tulasiram, Mr. L. K.

Vanavudaiya Goundar, Mr. S. V.

Venkatapati Raju, Mr. P. C.

Venkatarama Ayyar, Mr. K. R.

Venkataramana Ayyangar, Mr. C. V.

Venkataramam Nayudu, Mr. C.

Watson, I.C.S., Mr. H. A.

Wood, Mr. C. E.

Zamindar of Gollapalli.

Zamindar of Kallikota.

Zamindar of Mirzapuram.

Zamindar of Singampatti.